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FEDERAL REGISTER

VOLUME 9 NUMBER 239

Washington, Thursday, November 30, 1944

The President

EXECUTIVE ORDER 9503

APPOINTMENT OF DISABLED VETERANS COMPLETING COURSES OF INSTRUCTION PRESCRIBED PURSUANT TO THE ACT OF MARCH 24, 1943

By virtue of the authority vested in me by section 1753 of the Revised Statutes and by the Civil Service Act (22 Stat. 403), it is hereby ordered as follows:

When a disabled veteran shall have completed a course of training prescribed by the Administrator of Veterans' Affairs in accordance with the provisions of the act of March 24, 1943, Public Law 16, 78th Congress, in any department, independent establishment, or agency of the Executive branch of the Federal Government, such veteran may be appointed to the position for which the training was received without regard to the requirements of the Civil Service Rules and the War Service Regulations: *Provided*, that the veteran is recommended for such appointment by the employing agency, that the Civil Service Commission determines that the course of training is adequate for the satisfactory performance of the duties of the position, and that the veteran passes, prior to appointment, such noncompetitive examination as the Commission may prescribe.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,
November 27, 1944.

[F. R. Doc. 44-18117; Filed, Nov. 28, 1944; 3:26 p. m.]

EXECUTIVE ORDER 9504

REVOKING THE DESIGNATION OF DUNKIRK, NEW YORK, AS A CUSTOMS PORT OF ENTRY

By virtue of the authority vested in me by section 1 of the act of August 1, 1914, 38 Stat. 609, 623 (19 U.S.C. 2), it is ordered that the designation of Dunkirk, New York, as a customs port of entry in Customs Collection District Number 9 (Buffalo), be, and it is hereby, revoked,

effective at the close of business December 31, 1944.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,
November 27, 1944.

[F. R. Doc. 44-18118; Filed, Nov. 28, 1944; 3:26 p. m.]

Regulations

TITLE 4—ACCOUNTS AND BUDGET

Chapter II—Bureau of the Budget

PART 250—FELLOWSHIPS IN PUBLIC ADMINISTRATION FOR REPRESENTATIVES FROM OTHER AMERICAN REPUBLICS

RESCISSION OF REGULATIONS

The above regulations of the Bureau of the Budget, Federal Register May 6, 1944, page 4799 are hereby rescinded.

Hereafter, the above matter will be dealt with under the Department of State regulations published in the FEDERAL REGISTER of August 23, 1944, page 10243 as Title 22, Part 28, Code of Federal Regulations.

Issued this 8th day of November 1944.

HAROLD D. SMITH,
Director.

Approved: November 23, 1944.

E. R. STETTINIUS, Jr.,
Acting Secretary of State.

[F. R. Doc. 44-18125; Filed, Nov. 28, 1944; 4:23 p. m.]

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 19—CLASSIFICATION OF POSITIONS

SUBPART B—REGULATIONS RELATING TO THE CLASSIFICATION OF CERTAIN SERIES OF FIELD POSITIONS

The title of the regulations issued in 8 F.R. 5425, "Classification of Field Positions" is changed to read "Subpart A—

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at \$3.00 per unit. The following are now available:

- Book 1: Titles 1-3 (Presidential documents) with tables and index.
- Book 2: Titles 4-9, with index.
- Book 3: Titles 10-17, with index.
- Book 4: Titles 18-25, with index.
- Book 5, Part 1: Title 26, Parts 2-178.
- Book 5, Part 2: Title 26, completed; Title 27; with index.
- Book 6: Titles 28-32, with index.
- Book 7: Titles 33-45, with index.
- Book 8: Title 46, with index.

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General Regulations Relating To the Classification of Field Positions.

The Commission hereby declares in full force and effect the standards for the allocation of aircraft inspector positions in the field service published in "Class Specifications and Statements of Allocation Standards, Aircraft Inspection Series, CAF-1910-0" under dates of July, August, and September 1944.

§ 19.101 *Standards for classification of aircraft inspector positions*—(a) *Purpose.* This action is taken to promote consistent classification of aircraft inspector positions in the field services of the various agencies, including any such positions legally subject to the provisions of the Classification Act of 1923, as amended, which currently are compensated on a prevailing wage rate basis by the agencies. The necessity for the promulgation of such standards became apparent in the course of surveys conducted by the Commission with the cooperation of the departments most directly interested. Inter-agency inconsistencies in the classification of aircraft inspector positions and varying agency practices with respect to the allocation or "ungrading" of such positions which were discovered in the surveys have resulted in undesirable competition for employees among agencies and constitute an impediment to the effective utilization of manpower in the war effort.

(b) *Coverage of standards for the aircraft inspection series.* The standards for the Aircraft Inspection Series shall be applied to, and postaudits to be made by the Commission will affect, all positions which have the duties and responsibilities described in the published class specifications (except such positions as have been specifically exempted by law from the provisions of the Classification Act of 1923, as amended). Neither the payroll nor organizational titles of the employees who perform such duties, nor current agency practices with respect to the grading or ungrading of such positions, shall be considered in determining the applicability of the standards.

(c) *Allocation of aircraft inspector positions in the field service.* It is directed that all classifications of aircraft inspector positions under the above-mentioned standards be completed as soon as possible. The heads of agencies are responsible for allocating each position covered by the specifications to the class which most accurately describes the complexity of duties and the level of responsibility involved.

(d) *Reports.* It is directed that the heads of agencies make reports of such allocations in the manner prescribed in the rules and regulations promulgated

by the Civil Service Commission April 27, 1943 (8 F.R. 5425). Such reports shall be submitted to the Commission not later than February 28, 1945. Audits to determine adherence to these standards will then be made by the Commission.

(War Manpower Commission Directive No. XII, 7 F.R. 7650)

By the United States Civil Service Commission.

[SEAL]

H. B. MITCHELL,
President.

NOVEMBER 28, 1944.

[F. R. Doc. 44-18171; Filed, Nov. 29, 1944; 11:51 a. m.]

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[WFO 75-2, Amdt. 16]

PART 1410—LIVESTOCK AND MEATS BEEF REQUIRED TO BE SET ASIDE

War Food Order No. 75-2, § 1410.18, as amended (9 F.R. 12507), is further amended as follows:

1. By deleting the first paragraph of (b) and substituting in lieu thereof the following:

(b) *Class 1 and Class 2 slaughterers; Army-style beef.* No Class 1 slaughterer, and no Class 2 slaughterer who in any calendar week slaughters more than 51 head of cattle producing Army-style beef or whose cattle are slaughtered in an establishment in which more than 51 head of cattle producing Army-style beef are slaughtered in any calendar week, shall deliver meat unless he shall:

2. By adding, immediately after (d) thereof, the following:

(2) No owner or operator of slaughtering facilities, other than a Class 3 slaughterer, shall slaughter or permit such facilities to be used for the slaughter, in any calendar week, of more than 51 head of cattle producing Army-style beef, unless he has qualified or shall hereafter apply and qualify under the Meat Inspection Act (21 U.S.C. 71 et seq.) and the regulations applicable thereto for Federal meat inspection of all Army-style carcasses and beef required to be set aside under this order.

3. By inserting the figure (1) immediately after the title "Federal Inspection" and before the first sentence of (d).

This amendment shall become effective at 12:01 a. m., e. w. t., December 4, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 75-2, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392,

8 F.R. 14783; WFO 75, 8 F.R. 11119, 9 F.R. 4319, 4975, 5757, 10033)

Issued this 28th day of November 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-18101; Filed, Nov. 18, 1944; 12:50 p. m.]

[WFO 118]

PART 1425—CANNED AND PROCESSED FOODS GRAPEFRUIT SEGMENTS AND CANNED GRAPEFRUIT

The fulfillment of requirements for the defense of the United States will result in a shortage in the supply of grapefruit segments and canned grapefruit for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1425.10 *Restrictions relative to grapefruit segments—(a) Definitions.*

(1) "Canned grapefruit" means segments of grapefruit, sweetened or unsweetened, packed in any hermetically sealed container suitable for storage or shipment.

(2) "Grapefruit segments" means the sections into which a grapefruit naturally is divided, whether whole sections or broken pieces thereof.

(3) "Processor" means any person engaged in the business of preparing grapefruit segments for any use other than immediate consumption in fresh form.

(4) "Pack" means to produce canned grapefruit.

(5) "Person" means any individual, partnership, corporation, association, business trust, or any organized group of persons, whether incorporated or not.

(6) "Director" means the Director of Distribution, War Food Administration.

(b) *Restrictions.* No processor may use, sell, deliver, or accept delivery of grapefruit segments for any purpose other than the packing of canned grapefruit.

(c) *Petitions for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Such petition shall be addressed to Order Administrator, War Food Order No. 118, Fruit and Vegetable Branch, Office of Distribution, War Food Administration, Washington 25, D. C. Petition for such relief shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Order Administrator on the petition, he shall obtain, by requesting the Order Administrator therefor, a review of such

action by the Director. The Director may, after said review, take such action as he deems appropriate, and such action shall be final. The provisions of this paragraph (c) shall not be construed to deprive the Director of authority to consider originally any petition for relief from hardship submitted in accordance herewith. The Director may consider any such petition and take such action with reference thereto that he deems appropriate, and such action shall be final.

(d) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using the material subject to priority or allocation control pursuant to this order. In addition, any person who wilfully violates any provision of this order is guilty of a crime, and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(e) *Applicability of order.* This order shall apply only to the area included in the 48 States of the United States and the District of Columbia.

(f) *Records and reports.* (1) The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(2) Every person subject to this order shall, for at least two years (or for such period of time as the Director may designate), maintain accurate records of his transactions in canned grapefruit and grapefruit segments.

(g) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order; and the Director shall designate one such employee to serve as Order Administrator pursuant to the provisions hereof.

(h) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise provided herein or in instructions issued by the Director, be addressed to the Director of Distribution, War Food Administration, Washington 25, D. C., Ref. WFO-118.

(i) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., November 29, 1944.

NOTE: All record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807, E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 28th day of November 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-18116; Filed, Nov. 28, 1944;
3:20 p. m.]

[WFO 66, Amdt. 6]

PART 1468—GRAINS

MALTED GRAINS, MALT SYRUP, RICE, HOPS, AND
HOP PRODUCTS

War Food Order No. 66, as amended (8 F.R. 10480, 13841; 9 F.R. 1084, 4321, 4319, 9584, 11461, 11929), is further amended by deleting § 1468.2 (b) (2) and (3) and inserting, in lieu thereof, the following:

(2) Notwithstanding the limitations contained in (b) (1) hereof, if 93 percent of the total quantity of malted grain used by any brewer in the base year at all of the plants owned by him did not exceed 70,000 bushels, such brewer may use, during any quota period, in lieu of a quota computed pursuant to (b) (1) hereof, a total quantity of malted grain which is not in excess of 100 percent of the total quantity of malted grain used by such brewer during the corresponding 3-month period of such base year. However, any such brewer may, during the quota period beginning on December 1, 1944, and ending on February 28, 1945, use an additional amount of malted grain in the manufacture of malt beverages not in excess of 5 percent of his quota of malted grain computed for such quota period in accordance with the provisions of the preceding sentence of this paragraph. The total quantity of malted grain used by any brewer whose quota therefor is computed pursuant to the provisions of this paragraph during any period of 12 consecutive calendar months beginning on March 1 of any year while this order is in effect shall not exceed 70,000 bushels.

(3) Notwithstanding the limitations contained in (b) (1) hereof, if the quantity of malted grain used by any brewer in the base year did not exceed 8,000 bushels, such brewer, in lieu of a quota computed pursuant to (b) (1) hereof, may use, during each quota period, a total quantity of malted grain which is not in excess of 2,000 bushels, except that, for the quota period beginning on December 1, 1944, and ending on February 28, 1945, any such brewer may use an additional amount of malted grain for that purpose not in excess of 200 bushels.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., December 1, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 66, as amended, prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 66 as amended, in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any

proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 27th day of November 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-18102; Filed, Nov. 28, 1944;
12:50 p. m.]

[WFO 79-143, Amdt. 6]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN ST. PETERSBURG,
FLA., SALES AREA

Pursuant to War Food Order No. 79, as amended (8 F.R. 12426, 13283, 9 F.R. 4321, 4319), dated September 7, 1943, and to effectuate the purposes thereof, War Food Order No. 79-143, as amended (9 F.R. 3763, 4321, 4319, 4677, 5888, 9133, 10842, 12240), relative to the conservation and distribution of fluid milk, milk by-products, and cream in the St. Petersburg, Florida, milk sales area, is hereby further amended by deleting therefrom in § 1401.177 (f) (2) the numeral "100" and substituting therefor the numeral "105."

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., December 1, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 79-143, as amended, prior to the effective time of the provisions thereof, the provisions of said War Food Order No. 79-143, as amended, in effect prior to the effective time hereof, shall continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 79, 8 F.R. 12426, 13283; 9 F.R. 4321, 4319)

Issued this 29th day of November 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-18158; Filed, Nov. 29, 1944;
11:15 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter V—Military Reservations and National Cemeteries

PART 502—REGULATIONS AFFECTING MILITARY RESERVATIONS

RIGHTS WHICH MAY BE GRANTED BY SECRETARY OF WAR AND DIVISION ENGINEERS; LICENSES FOR BUS AND TAXICAB SERVICE

Section 502.6 (m) is revoked as follows:

§ 502.6 *Rights which may be granted by Secretary of War.* * * *
(m) *Busses and taxicabs.* [Revoked]

A new section designated § 502.10a, pertaining to rights which may be

granted by division engineers is added as follows:

§ 502.10a *Rights which may be granted by division engineers.* (a) Authority has been delegated by the Secretary of War to division engineers to grant licenses for bus and taxicab service on military reservations upon the recommendation of commanding officers. In the case of an installation under the command of the commanding general of a service command, his approval must be obtained by the division engineer. In the case of an installation utilized by and under the direct command of the Army Air Forces, the written approval of the commanding general of the specific Army Air Forces command having jurisdiction over the installation will be obtained by the division engineer. The following policies are published for guidance in granting such licenses:

(1) One or more revocable licenses for such operation may be granted by the division engineer, based upon the free competitive proposals of all reputable available companies or individuals.

(2) Transportation license (Military Reservation) (CR Form 121, WD, OC of E) will be used in the preparation of such licenses. These forms will be supplied by the Office of the Chief of Engineers upon request.

(b) None but duly licensed agencies will be permitted to operate in or upon military reservations.

(c) No distinction will be drawn between taxicab and bus transportation.

(d) No taxicab or bus company will be operated as a concessionaire of an Army exchange.

(e) Unless strictly confined to military personnel or civilians employed or resident at a War Department installation as passenger, an exchange is not authorized to operate a taxicab transportation facility nor to compete in any manner with civilian enterprise in such activity. See § 504.5 (a) (24), as to the authorized activities of an Army exchange in connection with taxicab operation.

(f) The operation of a bus transportation facility by an Army exchange will be in accordance with current War Department instructions governing the furnishing of local transportation.

(g) The revocable license will contain no reference to the Army exchange and will not obligate the exchange to any duties or liabilities. The Army exchange has no connection therewith, and the licensee may not obligate itself to the exchange in any manner under the license. (R. S. 161, 5 U. S. C. 22) [AR 100-62, September 1942 as amended by C5, November 1944]

EDWARD F. WITSELL,
Brigadier General,
Acting The Adjutant General.

[F. R. Doc. 44-18126; Filed, Nov. 28, 1944;
4:23 p. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 2908]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

NATIONAL PUBLICITY BUREAU, INC., ETC.,
ET AL.

§ 3.69 (a) *Misrepresenting oneself and goods—Business status, advantages or connections—Connections and arrangements with others*; § 3.69 (b) *Misrepresenting oneself and goods—Goods—Free goods*; § 3.69 (b) *Misrepresenting oneself and goods—Goods—Refunds*; § 3.69 (b) *Misrepresenting oneself and goods—Goods—Terms and conditions*; § 3.69 (c) *Misrepresenting oneself and goods—Promotional sales plans*; § 3.72 (e) *Offering deceptive inducements to purchase or deal—Free goods*; § 3.72 (n) *Offering deceptive inducements to purchase or deal—Terms and conditions*; § 3.96 (b) *Using misleading name—Vendor—Connections and arrangements with others*; § 3.96 (b) *Using misleading name—Vendor—Identity*. In connection with the offering for sale, sale and distribution in commerce, of silverware or sales promotional plans including premium certificates, gift cards or coupons redeemable in silverware or other articles of merchandise, (a) representing, by use of the words "Rogers Silverware" in a corporate or trade name, or by statements or representations in advertising or in any other way, that the respondent has an interest in, forms a part of, or has any connection with the manufacture of William A. Rogers Silverware; (b) representing merchandise delivered in redeeming certificates, coupons or trading cards as "free" or as a gift or gratuity or as delivered without cost to the holders of said certificates, coupons or trading cards when said merchandise is not in fact delivered to the holders of said certificates, coupons or trading cards without cost and unconditionally; (c) representing that the respondent will give a set of silverware or other merchandise free or will refund the sum of \$4.50, or any other sum, to the purchaser of said premium certificates, gift cards, coupons or other and similar devices on the redemption of a specified number of cards, certificates or coupons, unless such merchandise is delivered to said purchaser without cost and unconditionally and said premium certificates, gift cards, coupons or other and similar devices are redeemed without cost to the holders thereof and unconditionally, and said refund is made to said purchaser upon the redemption of the specified number of premium certificates, gift cards, coupons or other and similar devices; (d) representing that the respondent is conducting any special campaign or advertising campaign to introduce or advertise any article or articles of merchandise on behalf of the manufacturer of William A. Rogers Silverware or any other manufacturer or concern unless such a campaign is in fact being conducted at the instance of and on behalf of such manufacturer; or (e) representing that certificates, coupons or trading cards will be re-

deemed with certain articles of merchandise, unless the merchandise described is delivered to the holders of such certificates, coupons or trading cards without cost or condition; prohibited, subject to the provision, however, in connection with the aforesaid first prohibition, that the order shall not be construed to in any way prohibit the respondent from dealing in William A. Rogers Silverware or other products. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C. sec. 45b) [Modified cease and desist order, National Publicity Bureau, Inc., etc., et al., Docket 2908, October 13, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 13th day of October, A. D. 1944.

In the Matter of National Publicity Bureau, Inc., a Corporation Trading Under Its Own Name and as National Publicity Bureau and Rogers Silverware Distributors; and Hugh J. Wanke, Individually and as President of National Publicity Bureau, Inc., Trading as Rogers Silverware Distributors

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission the answer of the respondents, testimony and other evidence taken before John W. Addison, an examiner of the Commission duly designated by it, in support of the allegations of said complaint and in opposition thereto, brief filed herein by counsel for the Commission, and the Commission having duly made and issued its findings as to the facts, conclusion, and order to cease and desist dated March 1, 1939; and the Commission having further considered said order to cease and desist heretofore issued, and being of the opinion that the public interest requires that a modified order to cease and desist should be issued in said cause; and the Commission having given due notice to the respondent to show cause on July 24, 1944, why this case should not be reopened for the purpose of modifying said order to cease and desist; and the Commission having considered the matter and the record herein, and having issued its order modifying said order in certain respects, issues this its modified order to cease and desist:

It is ordered, That the respondent, Hugh J. Wanke, individually and trading as National Publicity Bureau and Rogers Silverware Distributors, or under any other name or names, and his representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution in commerce as commerce is defined by the Federal Trade Commission Act, of silverware or sales promotional plans including premium certificates, gift cards or coupons redeemable in silverware or other articles of merchandise, do forthwith cease and desist from:

(1) Representing, by use of the words "Rogers Silverware" in a corporate or trade name, or by statements or representations in advertising or in any other way, that the respondent has an in-

terest in, forms a part of, or has any connection with the manufacturer of William A. Rogers Silverware: *Provided, however*, That this order shall not be construed to in any way prohibit the respondent from dealing in William A. Rogers Silverware or other products.

(2) Representing merchandise delivered in redeeming certificates, coupons or trading cards as "free" or as a gift or gratuity or as delivered without cost to the holders of said certificates, coupons or trading cards when said merchandise is not in fact delivered to the holders of said certificates, coupons or trading cards without cost and unconditionally.

(3) Representing that the respondent will give a set of silverware or other merchandise free or will refund the sum of \$4.50, or any other sum, to the purchaser of said premium certificates, gift cards, coupons or other and similar devices on the redemption of a specified number of cards, certificates or coupon, unless such merchandise is delivered to said purchaser without cost and unconditionally and said premium certificates, gift cards, coupons or other and similar devices are redeemed without cost to the holders thereof and unconditionally, and said refund is made to said purchaser upon the redemption of the specified number of premium certificates, gift cards, coupons or other and similar devices.

(4) Representing that the respondent is conducting any special campaign or advertising campaign to introduce or advertise any article or articles of merchandise on behalf of the manufacturer of William A. Rogers Silverware or any other manufacturer or concern unless such a campaign is in fact being conducted at the instance of and on behalf of such manufacturer.

(5) Representing that certificates, coupons or trading cards will be redeemed with certain articles of merchandise, unless the merchandise described is delivered to the holders of such certificates, coupons or trading cards without cost or condition.

It is further ordered, That the respondent shall, within sixty days after service upon him of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL]

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-18151; Filed, Nov. 29, 1944;
10:44 a. m.]

[Docket No. 4898]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

CARLAY COMPANY, ET AL.

§ 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product or service*; § 3.71 (f) *Neglecting, unfairly or deceptively, to make material disclosure—Terms and conditions*. In connection with the offering for sale, sale, or distribution of respondents' candy product designated "Ayds", or any

other product containing substantially similar ingredients or possessing substantially similar properties, whether sold under the same name or any other name, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means to induce, etc., directly or indirectly, purchase in commerce, etc., of said product, which advertisements represent, directly or by implication (a) that excess weight may be removed from the body through the use of respondents' product and weight reducing plan without the necessity of restricting the diet; or (b) that the removal of excess weight from the body through the use of respondents' product and weight reducing plan is easy; or which advertisements (c) represent, directly or by implication, that the use of respondents' product and weight reducing plan removes or aids in the removal of excess weight from the body, unless such advertisements disclose clearly and conspicuously that said plan includes the adherence to a restricted diet and that adherence to such a diet is essential to weight reduction; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C. sec. 45b) [Cease and desist order, The Carlay Company, et al., Docket 4898, October 18, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 18th day of October, A. D. 1944.

In the Matter of The Carlay Company, a Corporation, and Carl A. Futter, Individually and as President and Treasurer of The Carlay Company

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondents, testimony and other evidence taken before trial examiners of the Commission theretofore duly designated by it, report of the trial examiners upon the evidence and the exceptions to such report, briefs in support of and in opposition to the complaint, and oral argument; and the Commission having made its findings as to the facts and its conclusion that the respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondents, The Carlay Company, a corporation, its officers, and Carl A. Futter, individually and as an officer of said corporation, and respondents' agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, or distribution of respondents' candy product designated "Ayds," or any other product containing substantially similar ingredients or possessing substantially similar properties, whether sold under the same name or any other name, do forthwith cease and desist from directly or indirectly:

1. Disseminating or causing to be disseminated any advertisement by means

of the United States mails, or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which represents, directly or by implication:

(a) That excess weight may be removed from the body through the use of respondents' product and weight reducing plan without the necessity of restricting the diet;

(b) That the removal of excess weight from the body through the use of respondents' product and weight reducing plan is easy.

2. Disseminating or causing to be disseminated any advertisement by means of the United States mails, or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which represents, directly or by implication, that the use of respondents' product and weight reducing plan removes or aids in the removal of excess weight from the body, unless such advertisement discloses clearly and conspicuously that said plan includes the adherence to a restricted diet and that adherence to such a diet is essential to weight reduction.

3. Disseminating or causing to be disseminated any advertisement by any means for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase of said product in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement contains any representation prohibited in paragraph 1 hereof or which fails to comply with the affirmative requirements set forth in paragraph 2 hereof.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

[SEAL]

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-18150; Filed, Nov. 29, 1944;
10:44 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter C—Miscellaneous Excise Taxes

[T. D. 36]

PART 151—REGULATIONS UNDER THE HARRISON NARCOTIC LAW, AS AMENDED

NARCOTIC TAXES

Narcotic Regulations 5 (26 CFR, Cum. Supp., Part 151) relating to taxes applicable with respect to dealings in opium or coca leaves or any compound, manufacture, salt, derivative, or preparation thereof, but only as prescribed and made applicable to the Internal Revenue Code by Treasury Decision 4884, approved February 11, 1939 (26 CFR, Cum. Supp. Note 5875) are amended as follows:

1. Article 2 (b) (§ 151.2 (b) of Title 26) is amended to read as follows:

§ 151.2 Definitions. * * *

(b) The term "narcotic," "narcotics" or "narcotic drugs" means opium, coca leaves, isonipecaine, or any compound, manufacture, salt, derivative, or preparation thereof, including "exempt preparations," defined below; and the term "isonipecaine" means any substance identified chemically as 1-methyl-4-phenyl - piperidine - 4 - carboxylic acid ethyl ester, or any salt thereof, by whatever trade name designated.

2. Article 43 (§ 151.43 of Title 26) is amended by adding thereto a paragraph reading as follows:

§ 151.43 Removed to another district. * * *

Where a taxpayer removes his business from the District of Columbia to a State or Territory, or from a State or Territory to another State, Territory or the District of Columbia, the collector of the district to which the taxpayer has removed, before making entry on his Record 10, and before returning the stamp to the taxpayer, shall request the narcotic district supervisor to make an investigation of the taxpayer's qualification to deal in narcotic drugs in the jurisdiction to which the business is removed, as in the case of a new registrant. (See Art. 5 (§ 151.5 of Title 26))

3. Article 59 (§ 151.59 of Title 26) is amended to read as follows:

§ 151.59 Identification numbers. The manufacturer or producer of each package containing one ounce or more of morphine, cocaine or isonipecaine or any of their salts or derivatives, and each package containing tablets, pills, or preparations, the morphine, cocaine or isonipecaine content of which amounts to one ounce or more, shall place thereon his name and location, and an individual identification number, and shall make record of such number together with the name and address of the purchaser, so arranged that upon disclosure of the identification number the identity of the purchaser can be readily ascertained. Likewise a wholesale dealer shall keep a record showing as to each such package of which he disposes, the manufacturer's name, location, and identification number, the name and address of the purchaser, and the date of disposal, so arranged that upon disclosure of the identity of the manufacturer and the identification number, the identity of the purchaser can be readily ascertained. Such records shall not be made a part of the monthly returns of such manufacturer, producer, or wholesale dealer, but shall constitute separate permanent records.

4. Article 180 (§ 151.180 of Title 26) is amended by amending the second paragraph to read as follows:

§ 151.180 Returned goods. * * *

Preparations containing cocaine, pantopon or isonipecaine in any quantity,

whether for internal or external use, are not within section 6 but are subject to all other provisions of the act.

(Secs. 2559 and 2606, I.R.C. (53 Stat. 277, 283; 26 U.S.C., 1940 ed., 2559, 2606))

[SEAL] H. J. ANSLINGER,
Commissioner of Narcotics.
JOSEPH D. NUNAN, Jr.,
Commissioner of Internal Revenue.

Approved: November 25, 1944.

HERBERT E. GASTON,
Acting Secretary of the Treasury.

[F. R. Doc. 44-18148; Filed, Nov. 29, 1944;
9:54 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Amdt. 266]

PART 661—PHYSICAL REHABILITATION

REVOCATION OF REGULATIONS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service regulations, Second Edition, are hereby amended in the following respect:

Amend the regulations by deleting Part 661 in its entirety.

The foregoing amendment to the Selective Service Regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

NOVEMBER 23, 1944.

[F. R. Doc. 44-18103; Filed, Nov. 23, 1944;
2:55 p. m.]

[Amdt. 267]

NOTICE TO REGISTRANT TO APPEAR FOR CONSULTATION, ETC.

ORDER DISCONTINUING FORMS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, I hereby prescribe the following change in DSS Forms:

Discontinuance of DSS Form 225 entitled "Notice to Registrant to Appear for Consultation."¹

Discontinuance of DSS Form 226 entitled "Registrant's Rehabilitation Statement."¹

Discontinuance of DSS Form 227 entitled "Inquiry for Undertaking of Services (Dental)."¹

Discontinuance of DSS Form 227 entitled "Inquiry for Undertaking of Services (Medical/Facility)."¹

¹ Filed as part of the original document.

Discontinuance of DSS Form 228 entitled "Order to Registrant to Have Defects Remedied."¹

Discontinuance of DSS Form 229 entitled "Progress Report of Rehabilitation."¹

Discontinuance of DSS Form 230 entitled "Report of Completion of Rehabilitation (Dental)."¹

Discontinuance of DSS Form 230 entitled "Report of Completion of Rehabilitation (Medical/Facility)."¹

Discontinuance of DSS Form 231 entitled "Application for Appointment as Selective Service Designated Physician or Dentist."¹

Discontinuance of DSS Form 232 entitled "Letter of Invitation."¹

The foregoing discontinuance shall become a part of the Selective Service regulations effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

NOVEMBER 23, 1944.

[F. R. Doc. 44-18104; Filed, Nov. 28, 1944;
2:55 p. m.]

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W. P. B. Reg. 1 as amended Dec. 31, 1943, 9 F. R. 64.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-650, Stay of Execution]

RICHMOND ELECTRIC CO.

Richmond Electric Company, 84 Weybosset Street, Providence, Rhode Island, has appealed from the provisions of Suspension Order No. S-650, issued November 6, 1944 (§ 1010.650) and has requested a stay on the ground that irreparable harm would be done his business if the suspension order were not stayed. The Chief Compliance Commissioner has directed that paragraphs (b) and (c) of the suspension order be stayed, subject to reinstatement, pending final determination of the appeal or until further order by the Chief Compliance Commissioner. In view of the foregoing, *It is hereby ordered*, That:

Paragraphs (b) and (c) of *Suspension Order No. S-650*, issued November 6, 1944, are hereby stayed, subject to reinstatement, pending final determination of the appeal or until further order by the Chief Compliance Commissioner.

Issued this 28th day of November 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-18124; Filed, Nov. 28, 1944;
3:48 p. m.]

PART 3274¹—MACHINE TOOLS AND INDUSTRIAL SPECIALTIES

[Limitation Order L-108, as Amended Nov. 29, 1944]

FINISHES ON METALWORKING EQUIPMENT

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of metalworking equipment for defense, for private account and for export; the unnecessary finishing of such equipment delays the production and delivery thereof; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3274.21¹ *Limitation Order L-108—(a) Definitions.* For the purposes of this order:

(1) "Metalworking equipment" means any machinery of the following types used for the processing of metal, whether such machinery is standard or special:

Machines for

Back spot facing.
Balancing.
Bending.
Boring and turning.
Broaching.
Burnishing.
Cam cutting.
Centering.
Chambering.
Chamfering.
Cold sawing.
Die sinking.
Drilling.
Duplicating.
Engraving.
Filing.
Flattening.
Forging.
Gear cutting.
Gear generating.
Gear grinding.
Gear measuring.
Gear rounding.
Gear testing.
Graduating.
Grinding.
Honing.
Keyseating.
Knurling.
Lapping.
Marking.
Measuring.
Milling.
Nibbling.
Nut slotting.
Oil grooving.
Pointing.
Polishing and buffing.
Precision boring.
Profiling.
Punching.
Rack cutting.
Reaming.
Rifling.
Roll threading.
Rotary flaring.
Sawing.
Saw sharpening.
Scraping.
Screw slotting.
Shaving.
Shearing.
Shell banding.
Slitting.

¹ Formerly Part 1203, § 1203.1.

No.

Machines for—Continued

Slotting.
Spinning.
Straightening.
Stretching.
Superfinishing.
Swaging.
Tapping.
Testing.
Threading.

Also the following

Ammunition machinery.
Automatic chucking machines.
Automatic screw machines.
Bolt, nut, rivet, and screw machinery.
Cartridge case machinery.
Cutoff machines.
Draw benches.
Formers.
Lathes.
Planers.
Presses and hammers.
Press brakes.
Shapers.
Shell machinery.
Shrinkers.

(2) "Filler" means any material used to fill in and smooth out irregularities in metal surfaces.

(3) "Primer or sealer" means any permanent protective coating of liquid applied to a metal surface prior to painting such surface.

(b) Restrictions on painting of metalworking equipment. All persons except ultimate purchasers are subject to the following restrictions in preparing for painting, or painting new metalworking equipment or any parts or assemblies for incorporation in such new equipment.

(1) Only one coat of primer or sealer may be applied.

(2) No filler may be applied.

(3) Not more than two coats of paint, enamel or lacquer may be applied.

(4) [Deleted Nov. 29, 1944.]

(c) [Deleted Nov. 29, 1944.]

(d) Violations. Any person who willfully violates any provision of this order or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction, may be punished by fine or imprisonment or both. In addition any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control, and may be deprived of priorities assistance.

(e) Appeals. Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal.

(f) Communications. All communications concerning this order shall, unless otherwise directed, be addressed to: Tools Division, War Production Board, Washington 25, D. C., Ref.: L-108.

(g) Applicability of regulations. This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

Issued this 29th day of November 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-18170; Filed, Nov. 29, 1944;
11:20 a. m.]

Chapter XI—Office of Price Administration

PART 1309—COPPER

[RPS 15,¹ Amdt. 4]

COPPER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Price Schedule No. 15 is amended in the following respects:

1. Section 1309.60 Appendix A is amended by the addition of a new paragraph (g) to read as follows:

(g) Sales by a Government agency from a stockpile for export. On a sale of copper for export, when made by a Government agency from stockpile, the maximum price, f. o. b. stockpile, shall be the same as the maximum price determined as above for copper delivered to a private buyer at the location of the particular stockpile.

This amendment shall become effective as of November 7, 1944.

Issued this 29th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-18162; Filed, Nov. 29, 1944;
11:17 a. m.]

PART 1372—SEASONAL COMMODITIES

[MPR 210, Amdt. 17]

SPACE HEATERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 210 is amended in the following respects:

1. Section 1372.112 (h) (3) is amended to read as follows:

(3) All space heaters of the type commonly used in households, camps, trailers, etc., other than floor or wall furnaces or heaters intended to be built into or permanently attached to a building.

*Copies may be obtained from the Office of Price Administration.

¹ 7 F.R. 1237, 2132, 2944, 5811, 8948; 8 F.R. 12313.

2. Section 1372.112 (h) (9) is hereby deleted.

This amendment shall become effective on the 4th day of December 1944.

Issued this 29th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-18163; Filed, Nov. 29, 1944;
11:17 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 373,² Corr. to Amdt. 99]

POI IN HAWAII

Amendment 99 to Maximum Price Regulation 373 is corrected by changing paragraph (f) to read paragraph (g).

This correction shall become effective as of October 26, 1944.

Issued this 29th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-18166; Filed, Nov. 29, 1944;
11:18 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 373, Amdt. 106]

FRESH FRUITS AND VEGETABLES IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 21 is amended in the following respects:

1. The table following paragraph (c) (1) is amended by changing the prices of one item to read as follows:

	Wholesale maximum price	Retail maximum price
Celery.....	Per crate \$6.30	Per pound \$0.18

2. The table following paragraph (d) (1) is amended by deleting all variety names from apples, grapes, and pears to read as follows:

	Wholesale maximum price	Retail maximum price
Apples.....	\$5.05 per box.	Per pound \$0.17
Grapes.....	\$6.00 per lug.	.30
Pears.....	\$7.90 per box.	.26

This amendment shall become effective as of November 6, 1944.

Issued this 29th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-18165; Filed, Nov. 29, 1944;
11:18 a. m.]

² 9 F.R. 13526.

PART 1439—UNPROCESSED AGRICULTURAL
COMMODITIES[RMFR 487,¹ Amdt. 3]

WHEAT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 487 is amended, in the following respects:

1. Section 4 is amended to read as follows:

SEC. 4. *Maximum prices of producers.* (a) Except as provided in paragraph (b) of this section, the maximum prices per bushel, bulk, for the sale of any wheat by a producer shall be as follows:

(1) If delivered to the purchaser at the farm where grown, the formula price at the nearest interior rail point less 4½ cents per bushel.

(2) If delivered to a commercial elevator or warehouse at an interior point, the formula price at that point less 3 cents per bushel.

(3) If delivered to the purchaser loaded aboard a rail car at the point of loading, the formula price at such point of loading less 1 cent per bushel.

(4) If delivered to the purchaser loaded aboard a rail car after movement by rail the formula price at the interior rail point of loading, plus seller's transportation cost from the point of loading to the point of delivery to the purchaser.

(5) If delivered to the purchaser at any other point, the formula price at the interior rail loading point nearest to the point of production less 4½ cents per bushel, plus the seller's transportation cost to the point of delivery to the purchaser.

(b) Where delivery is made in store, after a movement by rail, and the producer does not elect to determine his maximum price under paragraph (a) of this section, he shall have the option to determine his maximum price by adding to the formula price at the interior point where the wheat was originally loaded, determined under Section 3 of Appendix A, his transportation costs from such point to the point of delivery to the purchaser: *Provided*, That the producer shall pay, or there shall be deducted from the payment of the maximum price to him, all storage and handling charges which accrued incident to the movement of the wheat, including the loading out charge. If the customer is also the warehouseman who operates the storage facility where delivery is made, his charge for handling and loading out shall be not less than one cent per bushel.

(c) If the purchaser performs any services connected with the growing, harvesting, collecting from field or as-

sembling at point on the farm where available for ready transportation from the farm, the reasonable value of all such services must be deducted in paying the appropriate maximum price hereinbefore set forth.

2. Section 5 is amended to read as follows:

SEC. 5. *Maximum prices of country shippers.* The maximum price, per bushel, bulk, for the sale of any wheat by a country shipper shall be the formula price set forth in Appendix A at the terminal city or interior rail point either:

(a) At which delivery is made to the purchaser; or

(b) From which a shipment is made by him plus, in this latter case, transportation costs to the point of delivery to the purchaser.

3. Section 8 is amended to read as follows:

SEC. 8. *Maximum prices of merchandisers.* (a) The maximum price for the sale of any carload lot of wheat for feed, or of any lot of wheat to be used other than for feed, per bushel, bulk, by a merchandiser, shall be 1½ cents per bushel over either:

(1) The formula price set forth in Appendix A at the point of origin of the freight billing transferred or issued in respect to the lot sold, plus any previously added permitted charges and markups, and plus transportation costs from said point of origin of the freight billing to the purchaser's receiving point; or

(2) The formula price set forth in Appendix A at any terminal city into which the wheat has moved plus, in addition to previously added permitted charges or markups, other than transportation costs, transportation costs from said terminal city to the purchaser's receiving point; or

(3) The formula price set forth in Appendix A at the point of delivery to the purchaser plus any previously added permitted charges and markups other than transportation costs.

(b) The maximum price, per bushel, bulk, for the sale by a merchandiser of any less than carload lot of wheat for feed shall be calculated by adding to the price specified in paragraph (a) (1), (a) (2), or (a) (3) of this section, whichever is appropriate, the appropriate one of the following markups:

(1) 3 cents per bushel for sales in less than carload quantities of 100 bushels or more; or

(2) 6 cents per bushel for sales of less than 100 bushels.

(c) Irrespective of the number of merchandisers or commission merchants who may have handled the wheat in question, the maximum price to the purchaser shall not be increased by the addition of markups or service charges under this section, and under section 6 hereof, whether singly or combined, to a greater extent than:

(1) In the case of any wheat, other than wheat for feed:

(i) 4½ cents per bushel; or

(2) In the case of wheat for feed:

(i) 4½ cents per bushel for sales in carload quantities;

(ii) 7½ cents per bushel for sales in less than carload quantities of 100 bushels or more;

(iii) 13½ cents per bushel for sales in less than carload quantities of less than 100 bushels.

This amendment shall become effective on December 4, 1944.

Issued this 29th day of November 1944.

CHESTER BOWLES,
Administrator.

Approved: November 21, 1944.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 44-18164; Filed, Nov. 29, 1944;
11:18 a. m.]

PART 1499—COMMODITIES AND SERVICES
[RMFR 165,¹ Supp. Service Reg. 42]

CHARGES FOR CITRUS FRUIT PACKING SERVICES IN THE STATE OF FLORIDA

A statement of the considerations involved in the issuance of this Supplementary Service Regulation 42 has been filed with the Division of the Federal Register.* For the reasons set forth in that statement, and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Supplementary Service Regulation 42 is hereby issued.

§ 1499.675 *Maximum prices for citrus fruit packing services in the State of Florida.* The maximum prices established by Revised Maximum Price Regulation 165 (Services), as adjusted by Order G-1 under Maximum Price Regulation 165 as issued and as amended by the Atlanta Regional Office of the Office of Price Administration, are modified as hereinafter provided.

(a) On and after the effective date of this supplementary service regulation:

(1) No seller of citrus fruit packing services located in the State of Florida may sell, or offer to sell, the citrus fruit packing services set out below, when the container is furnished by such seller, at prices higher than his maximum prices for such services under Revised Maximum Price Regulation 165 before addition of the increases thereto permitted by Order G-1 under Maximum Price Regulation 165, as issued and as amended by the Atlanta Regional Office of the Office of Price Administration, plus his actual increases in direct labor and direct material costs incurred on and after April 1, 1942: *Provided, however*, That no increases in excess of the following shall be added:

¹ 9 F.R. 7349, 9107, 9411.

*Copies may be obtained from the Office of Price Administration.

¹ 9 F.R. 305, 1489, 3034, 5440.

(i) Oranges.

Container type	Maximum increase permitted through Jan. 31, 1945 (basis: standard 1½ bushel box)	Maximum increase permitted on and after Feb. 1, 1945 (basis: standard 1½ bushel box)
Standard box (1½ bu.)	\$0.41	\$0.36
Bruce box (1½ bu.)	\$0.385	\$0.335
½ box bag	\$0.13 (basis: \$0.26 per 1½ bu.)	\$0.105 (basis: \$0.21 per 1½ bu.)
20 lb. bag	\$0.065 (basis: \$0.26 per 1½ bu.)	\$0.0525 (basis: \$0.21 per 1½ bu.)
8 lb. bag	\$0.027 (basis: \$0.27 per 1½ bu.)	\$0.022 (basis: \$0.22 per 1½ bu.)
5 lb. bag	\$0.017 (basis: \$0.27 per 1½ bu.)	\$0.0138 (basis: \$0.22 per 1½ bu.)

(ii) Grapefruit.

Container type	Maximum increase permitted through Jan. 31, 1945 (basis: standard 1½ bushel box)	Maximum increase permitted on and after Feb. 1, 1945 (basis: standard 1½ bushel box)
Standard box (1½ bu.)	\$0.35	\$0.32
Bruce box (1½ bu.)	\$0.32	\$0.29
½ box bag	\$0.105 (basis: \$0.21 per 1½ bu.)	\$0.09 (basis: \$0.18 per 1½ bu.)

(iii) Tangerines.

Container type	Maximum increase permitted through Jan. 31, 1945 (basis: standard 1½ bushel box)	Maximum increase permitted on and after Feb. 1, 1945 (basis: standard 1½ bushel box)
Standard ½ strap box (¾ bushel)	\$0.42	\$0.38

(2) No seller of citrus fruit packing services located in the State of Florida may sell, or offer to sell, the citrus fruit packing services set out below when the container is not furnished by him, at prices higher than his maximum prices for such services under Revised Maximum Price Regulation 165 before addition of the increases thereto permitted

by Order G-1 under Maximum Price Regulation 165, as issued and as amended by the Atlanta Regional Office of the Office of Price Administration, plus his actual increases in direct labor and direct material costs incurred on and after April 1, 1942: *Provided, however,* That no increases in excess of the following shall be added:

(i) Oranges.

Container type	Maximum increase permitted through Jan. 31, 1945 (basis: standard 1½ bushel box)	Maximum increase permitted on and after Feb. 1, 1945 (basis: standard 1½ bushel box)
Standard box (1½ bu.)	\$0.275	\$0.225
Bruce box (1½ bu.)	\$0.265	\$0.215
½ box bag	\$0.13 (basis: \$0.26 per 1½ bu.)	\$0.105 (basis: \$0.21 per 1½ bu.)
20 lb. bag	\$0.065 (basis: \$0.26 per 1½ bu.)	\$0.0525 (basis: \$0.21 per 1½ bu.)
8 lb. bag	\$0.027 (basis: \$0.27 per 1½ bu.)	\$0.022 (basis: \$0.22 per 1½ bu.)
5 lb. bag	\$0.017 (basis: \$0.27 per 1½ bu.)	\$0.0138 (basis: \$0.22 per 1½ bu.)

(ii) Grapefruit.

Container type	Maximum increase permitted through Jan. 31, 1945 (basis: standard 1½ bushel box)	Maximum increase permitted on and after Feb. 1, 1945 (basis: standard 1½ bushel box)
Standard box (1½ bu.)	\$0.215	\$0.185
Bruce box (1½ bu.)	\$0.205	\$0.175
½ box bag	\$0.105 (basis: \$0.21 per 1½ bu.)	\$0.09 (basis: \$0.18 per 1½ bu.)

(iii) Tangerines.

Container type	Maximum increase permitted through Jan. 31, 1945 (basis: standard 1½ bushel box)	Maximum increase permitted on and after Feb. 1, 1945 (basis: standard 1½ bushel box)
Standard ½ strap box (¾ bushel)	\$0.315	\$0.275

(3) Any seller of citrus fruit packing services located in the State of Florida who can establish maximum prices under paragraph (a) (1) of this regulation for packing in Standard or Bruce boxes, but who did not pack in bushel baskets, five pound, eight pound, or ten pound bags during March, 1942 and who now desires to pack in, and furnish, any one or more of such containers, may sell, or offer to sell, such services, at prices no higher than the following:

(i) *Bushel baskets.* The maximum price shall be ⅘ of the price computed under paragraph (a) (1) on the standard box containing 1½ bushels. If the packer did not pack in standard boxes during March, 1942 but packed in Bruce boxes during that month, his maximum price shall be ⅘ of the price computed under paragraph (a) (1) on the Bruce box containing 1½ bushels.

(ii) *Bags.* The maximum price per bag shall be computed by adding 20¢ to

the prices established in paragraph (a) (1) on the standard box containing 1½ bushels, and dividing the resulting figure by 8 for ten pound bags, by 10 for eight pound bags, and by 16 for five pound bags. If the packer did not pack in standard boxes during March 1942 his maximum price per bag shall be computed by adding 20¢ to the prices established in paragraph (a) (1) on the Bruce box containing 1½ bushels, and dividing the resulting figure in the same manner provided in the preceding sentence.

(4) Any seller of citrus fruit packing services located in the State of Florida who can establish maximum prices under paragraph (a) (2) of this regulation for packing in standard or Bruce boxes, but who did not pack in bushel baskets, five pound, eight pound, or ten pound bags during March 1942 and who now desires to pack in, but not furnish, any one or more of such containers, may sell, or offer to sell, such services, at prices no higher than the following:

(i) *Bushel baskets.* The maximum price shall be ⅘ of the price computed under paragraph (a) (2) on the standard box containing 1½ bushels. If the packer did not pack in standard boxes during March 1942 but packed in Bruce boxes during that month, his maximum price shall be ⅘ of the price computed under paragraph (a) (2) on the Bruce box containing 1½ bushels.

(ii) *Bags.* The maximum price per bag shall be computed by adding 20¢ to the prices established in paragraph (a) (2) on the standard box containing 1½ bushels, and dividing the resulting figure by 8 for ten pound bags, by 10 for eight pound bags, and by 16 for five pound bags. If the packer did not pack in standard boxes during March 1942 his maximum price per bag shall be computed by adding 20¢ to the prices established in paragraph (a) (2) on the Bruce box containing 1½ bushels, and dividing the resulting figure in the same manner provided in the preceding sentence.

(b) *Other pricing provisions.* Any seller who cannot determine his prices under the preceding paragraphs (a) (1) or (a) (2) because:

(1) During March 1942 he furnished containers when rendering citrus fruit packing services, and he now desires to discontinue the furnishing of such containers.

(2) During March 1942 he did not furnish containers when rendering citrus fruit packing services, and he now desires to furnish such containers, or

(3) For any other reason shall apply to the Atlanta Regional Office of the Office of Price Administration for determination of a maximum price under the provisions of section 5 of Revised Maximum Price Regulation 165. The Atlanta Regional Office is hereby authorized to establish such maximum prices in line with the level of maximum prices established by this supplementary service regulation.

(c) *Less than maximum prices.* Less than maximum prices may be charged or offered.

(d) *Definitions.*—(1) *Citrus fruit packing services.* Citrus fruit packing serv-

ices include (but are not limited to) the receiving of citrus fruit at the platform of the packer, the processing of this fruit for packing, washing, crating and packing into specified containers, and the placing of the fruit on the shipping platform of the packing establishment. It shall include, in addition to these services, any other service customarily performed by the particular seller during March 1942 as a part of, or in connection with, the services set forth above.

(2) *Direct labor costs.* Direct labor costs include all costs incurred for labor handling fruit and containers in a packing house, such as labor engaged in receiving, shipping, packing, dumping, making boxes, working on the floor, grading, stacking, nailing, closing boxes, stamping, checking, tallying, and loading. Direct labor costs do not include expenses incurred in administration, supervision, or general plant maintenance.

(3) *Direct material costs.* Direct material costs include the costs of items which form a part of the finished product, such as boxes, bags, baskets, nails, coloring, or labels, including incoming freight or express on these items but in no case shall such costs be included if the materials are not purchased from a customary source of supply, or if they are purchased at prices in excess of the supplier's applicable maximum price.

(4) Except as otherwise provided herein, and unless the context otherwise requires, the definitions set forth in Revised Maximum Price Regulation 165 shall be applicable to the terms used herein.

(e) *Discounts.* Each seller must continue all discounts, allowances, purchaser classifications, and other price differentials in accordance with the provisions of Revised Maximum Price Regulation 165.

(f) Except as otherwise provided herein, all transactions subject to this order shall remain subject to all the provisions of Revised Maximum Price Regulation 165, together with all amendments, supplementary service regulations, and orders that heretofore have been, or hereafter may be, issued.

(g) This supplementary service regulation suspends Order G-1 under Maximum Price Regulation 165 issued by the Atlanta Regional Office of the Office of Price Administration and all amendments thereto during the effective period of this regulation.

(h) This supplementary service regulation may be revoked, amended, or corrected at any time.

(i) This supplementary service regulation shall become effective as of September 1, 1944, and shall expire July 31, 1945.

Issued this 27th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-18060; Filed, Nov. 27, 1944;
4:44 p. m.]

TITLE 41—PUBLIC CONTRACTS

Chapter I—Procurement Division, Department of the Treasury

PART 4—SUPPLIES TO BE PROCURED BY THE PROCUREMENT DIVISION

EXCLUSIVE PROCUREMENT OF PAPER AND PAPERBOARD

Paragraph (k) of § 4.1 *Exclusive procurement by Procurement Division; commodities* (41 CFR, Cum. Supp., 4.1) is hereby amended to read as follows:

(k) *Paper and paperboard.* (1) Paper and paperboard, where in any contemplated purchase or group of purchases the quantity involved is 100 reams or more and the weight involved is 500 pounds or more, but excluding requirements of the War and Navy Departments, the Marine Corps and the Maritime Commission.

(2) "Paper and paperboard" mean all types of paper and paperboard listed as items 14 5000 to 14 7990 in the Standard Commodity Classification, Volume I, May 1943; but excluding distinctive paper for United States securities and paper and paperboard which the Government Printing Office is authorized to procure and furnish Government agencies.

(Sec. 1, E.O. 6166, June 10, 1933, sec. 2, Director's Order 73, approved by the President June 10, 1939 (41 CFR 1.2, 3.2), Procurement Division Circular Letter 618, Supplement No. 1, November 24, 1944)

Dated: November 24, 1944.

[SEAL] E. J. WALSH,
Acting Director of Procurement.

[F. R. Doc. 44-18149; Filed, Nov. 29, 1944;
9:54 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 80, Amdt. 26]

PART 95—CAR SERVICE

GRAIN PERMITS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 27th day of November, A. D., 1944.

Upon further consideration of the provisions of Service Order No. 80, as amended (codified as § 95.19 of Title 49 CFR):

It is ordered, That the city of Paris, Illinois, shall be included in the Decatur, Illinois, market area. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 49 U.S.C. 1 (10)-(17))

It is further ordered, That this amendment shall become effective November 29, 1944; that copies of this amendment be served upon the Association of American Railroads, Car Service Division, as

agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this amendment be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C.

By the Commission, division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44-18157; Filed, Nov. 29, 1944;
11:06 a. m.]

Notices

FEDERAL POWER COMMISSION.

[Docket IT-5928]

MONONGAHELA WEST PENN PUBLIC SERVICE Co.

NOTICE OF APPLICATION

NOVEMBER 25, 1944.

Notice is hereby given that on November 24, 1944, an application was filed with the Federal Power Commission, pursuant to section 203 of the Federal Power Act, by Monongahela West Penn Public Service Company, a corporation organized under the laws of the State of West Virginia and operating primarily within the State of West Virginia, and maintaining electric facilities in the States of Maryland, Ohio, Pennsylvania, Virginia, and West Virginia, with its principal business office in Fairmont, West Virginia, seeking an order authorizing the merger by purchase of all electric utility facilities located in Tyler, Wetzel, and Marshall Counties in the State of West Virginia, owned by West Virginia Light, Heat and Power Company, a corporation organized under the laws of the State of West Virginia and doing business in said State with its principal business office at Sistersville, West Virginia, for a consideration stated in the application to be \$427,633.26, in cash, subject to certain adjustments; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 14th day of December, 1944, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and regulations.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-18119; Filed, Nov. 28, 1944;
3:45 p. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 5253]

NATIONAL LEAD CO., ET AL

COMPLAINT AND NOTICE OF HEARING

In the matter of National Lead Company, a corporation, Eagle-Picher Lead

Company, a corporation, Eagle-Picher Sales Company, a corporation, Anaconda Copper Mining Company, a corporation, International Smelting & Refining Company, a corporation, The Sherwin-Williams Company, a corporation, and The Glidden Company, a corporation.

Complaint. This complaint is filed to obtain relief against respondents because of their violations, jointly and severally, as hereinafter alleged in Count I herein, of section 5 of an act of Congress entitled "An Act to create a Federal Trade Commission, to define its powers and duties, and for other purposes," commonly referred to as the Federal Trade Commission Act, as approved September 26, 1914, and amended March 21, 1938 (38 Stat. 717; 15 U.S.C.A. sec. 41; 52 Stat. 111), and because of their violations, as alleged in Count II herein, of section 2 (a) of an act of Congress entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," commonly referred to as the "Clayton Act," as approved October 15, 1914, and amended June 19, 1936 (38 Stat. 730; 15 U.S.C.A. sec. 12, 49 Stat. 1526; 15 U.S.C.A., sec. 13, as amended).

Count I—The Charge Under the Federal Trade Commission Act

PARAGRAPH 1: Pursuant to the provisions of the Federal Trade Commission Act, and by virtue of the authority vested in it by said act, the Federal Trade Commission, having reason to believe that the parties named in the caption hereof, and more particularly described and referred to hereinafter as respondents, have violated the provisions of section 5 of said act, and it appearing to the Commission that a proceeding by it in respect thereof would be in the public interest, hereby issues its complaint, stating its charges in that respect as follows:

Nature of Charges

PAR. 2: Respondent National Lead Company is charged in this Count I of the complaint with having monopolized and attempted to monopolize the interstate sale of white lead and with having acted unlawfully to secure a monopolistic control over the prices of white lead in the United States, and with having combined, conspired and cooperated with the other respondents to hinder, lessen and eliminate price competition in the sale of white lead in the United States. It and each of the other respondents are charged with using unfair, oppressive, discriminatory and deceptive acts, methods and practices in connection with the sale of white lead in the United States.

Description of Respondents

PAR. 3: Each of the respondents is particularly named and described as follows: (a) National Lead Company, a New Jersey corporation with its principal offices at 111 Broadway, New York, N. Y. (sometimes hereinafter referred to merely as National). (b) Eagle-Picher Lead Company, an Ohio corporation with its principal offices at 901 Temple Bar Building, Cincinnati, Ohio, parent corporation of respondent Eagle-Picher Sales Company. (c) Eagle-Picher Sales

Company, a Delaware corporation with its principal offices at 901 Temple Bar Building, Cincinnati, Ohio, the wholly-owned subsidiary of respondent Eagle-Picher Lead Company (sometimes hereinafter respondents Eagle-Picher Lead Company and Eagle-Picher Sales Company both are referred to merely as Eagle-Picher). (d) Anaconda Copper Mining Company, a Montana corporation with its principal office located at 25 Broadway, New York, N. Y., parent corporation of respondent International Smelting & Refining Company (sometimes hereinafter referred to merely as Anaconda). (e) International Smelting & Refining Company, a Montana corporation with its principal office at 25 Broadway, New York, N. Y., a wholly-owned subsidiary of respondent Anaconda Copper Mining Company (sometimes hereinafter referred to merely as International). (f) The Sherwin-Williams Company, an Ohio corporation, with principal offices at 101 Prospect Avenue Northwest, Cleveland, Ohio (sometimes hereinafter referred to merely as Sherwin-Williams). (g) The Glidden Company, an Ohio corporation with principal offices located at Union Trust Building, Cleveland, Ohio (sometimes hereinafter referred to merely as Glidden).

Definitions and Explanation of Terms

PAR. 4: Some of the terms hereinafter used are defined and explained as follows:

A. "White lead": White lead is a white, exceedingly fine powder known as basic lead carbonate. It is a chemical compound, analyzing, when carefully manufactured, about 69% carbonate of lead and 31% hydrate of lead. It is derived through processes of corroding metallic pig lead. White lead is frequently referred to in the lead and paint manufacturing industries, by dealers in paint and paint products and painters as "lead pigments", whether in powdered form or in the form of paste after a mixture with some linseed oil. In either of those forms it is usable by paint manufacturers and painters in preparing and producing white lead paint of the desired consistency by simply adding and thoroughly mixing therewith varying amounts of linseed oil and in some instances turpentine.

B. "Pig lead": Pig lead is a product derived from the smelting and refining of lead ore or lead "concentrates". The pig lead is secured after the smelting and refining has removed sulphur and other impurities from the lead ore and which are found in it as it is taken from the mines.

C. "Commerce": The term commerce as hereinafter used means "commerce" as defined in the Federal Trade Commission Act.

Description and History of Industry and the Commerce of Respondents

PAR. 5: The respondents herein, either directly or indirectly through subsidiary corporations or operating divisions, are engaged in the manufacture, sale and distribution of white lead in commerce, and some of them, including respondents

National, Eagle-Picher, Sherwin-Williams and Glidden, are also engaged in the use of white lead in their manufacture of white lead paint. The white lead that is thus produced is an important item in commerce between and among the several states. It is the principal item used in the manufacture of white lead paint. It is used in the manufacture of white lead paint by the principal paint manufacturers in the United States, as well as by painters throughout the country. The white lead paint thus produced is held in high esteem by painters and users as of the highest possible quality for application to exteriors of buildings, ships and other structures.

For a part of the period covered by this complaint the respondent Eagle-Picher Lead Company directly sold and distributed white lead in commerce, but it has also indirectly sold and distributed white lead in commerce since the formation and incorporation in the State of Delaware of its wholly-owned subsidiary, respondent Eagle-Picher Sales Company, which now serves respondent Eagle-Picher Lead Company as a marketing medium for products of the parent company.

During a part of the period covered by this complaint white lead produced by respondent International Smelting & Refining Company was sold and distributed in commerce directly by respondent Anaconda Copper Mining Company through one of its operating divisions, namely, Anaconda Lead Products Company. However, about 1939, respondent Anaconda Copper Mining Company discontinued its sale and marketing of white lead in commerce through its operating division, the Anaconda Lead Products Company. It has since sold and distributed white lead in commerce through its Anaconda Sales Company, Pigments Division, and as the product of its wholly-owned subsidiary, International Smelting & Refining Company.

The production of the National Lead Company and the other producing respondents accounts for from 85% to 90% of all the white lead produced and sold in the United States, with the production of the National accounting for approximately 60-65%, Eagle-Picher approximately 15%, and the other respondents for approximately 10% of the total. Therefore, as a practical matter, in the aggregate the producing respondents are the manufacturers and primary sellers to whom purchasers and users of white lead must turn for supplies of white lead. The production and distribution of pig lead, from which white lead is produced, is also concentrated in the hands of a few corporations, which include respondents National and Eagle-Picher.

Offenses Charged—The Charges Generally Stated

PAR. 6: Respondent National Lead Company has violated and is now violating the provisions of section 5 of the Federal Trade Commission Act by monopolizing, attempting to monopolize and acting to control the sale of white lead and the prices thereof in commerce. Respondents National Lead Company, Eagle-Picher Lead Company, Eagle-

Picher Sales Company, Anaconda Copper Mining Company, International Smelting & Refining Company, The Sherwin-Williams Company and the Glidden Company have violated and are now violating the provisions of section 5 of the Federal Trade Commission Act by combining, conspiring and cooperating between and among themselves and with each other for the purpose and with the effect of restraining, hindering, suppressing and eliminating competition in price in the sale of white lead in commerce. Each of said respondents has violated and is now violating the provisions of section 5 of the Federal Trade Commission Act by engaging in and continuing unfair, oppressive, discriminatory and deceptive acts, methods and practices in connection with sales and offers to sell white lead in commerce.

Charges Particularized

PAR. 7: Respondent National Lead Company at the time of its inception, in 1891, embarked upon the execution of a plan and program to secure unto it a monopoly of and a monopoly power and control over the manufacture, pricing, sale and distribution of white lead in commerce. Pursuant to, in furtherance of, and in order to effectuate the purposes of that plan and program, respondent National has engaged in, continued and is now doing and performing and carrying on the following acts, methods and practices.

A. Bought, merged and otherwise acquired control over or confederated with and secured the cooperation of other producers, buyers and sellers of pig lead destined for use in the manufacture of white lead. In furtherance of that part of its plan and program to monopolize the white lead industry and to secure control over the pricing of white lead in commerce:

(1) National, on or about December 7, 1891, succeeded to the control which had prior thereto been exercised by the National Lead Trust over the operations and activities of approximately sixteen previously independent firms engaged in the manufacture, sale and distribution of white lead, linseed oil and kindred products, and thereafter continued its expansion by acquiring control over additional units in the lead industry.

(2) National, by 1904, became a party to cooperative action with industrial and financial leaders allied in common purposes and objectives, through common financial interests and otherwise. As a result of such cooperation and mutual assistance such leaders, including stockholders of respondent National, gained control of American Smelting & Refining Company (one of the largest corporations in the mining, smelting and refining of metals, including lead, in the United States, and in other parts of the world), American Linseed Oil Company (previously known as Linseed Oil Trust), National Lead Company (respondent National Lead Company herein, which was also previously known as National Lead Trust), and the United Lead Company, all of which proceeded, beginning in 1904, to operate in close harmony and co-operation. The combined resources of

said corporations included all lead smelting and refining plants in operation east of the Rocky Mountains and with sufficient capacity to smelt and refine the entire output of lead producing ores of all the mines east of the Rocky Mountains producing smelting ores. They also included all linseed oil producing plants in the United States which were then important factors in commerce.

(3) National, in 1906, acquired control of the United Lead Company which had previously been formed through the acquisition of what had been numerous independent producers and refiners of lead.

(4) National, in 1907, acquired all of the stock of the Magnus Metal Company (Magnus Company, Inc.).

(5) National, shortly thereafter, acquired control of the business of Heath & Milligan Manufacturing Company of Chicago, the largest paint manufacturer in the West, but in 1919 transferred the control of that paint manufacturer to The Glidden Company, respondent herein.

(6) National, thereafter, acquired all of the stock of the Carter White Lead Company of Chicago and Omaha, the Matheson Lead Company, the River Smelting & Refining Company, Bass-Huerter Paint Company (then the second largest manufacturer of linseed paints and varnishes on the Pacific Coast), San Francisco, Calif., the National Lead Company of Argentina, and Hirst & Begley Company (an Illinois corporation engaged in the crushing of linseed oil which was subsequently reorganized into an operating branch of the National Lead Company).

(7) National has also secured control over a substantial part of the capital stock of respondent Eagle-Picher Lead Company. Up to February 1943, a still more substantial part of the Eagle-Picher Lead Company stock was held by one Edward J. Cornish, who had served as president of respondent National.

(8) National asserts and represents that the price of pig lead f. o. b. New York, N. Y., is the principal factor in its determination and fixing of its price for white lead, since pig lead is the principal item used in the manufacture of white lead.

(9) National through its acts, methods, practices and the relationships it maintains with American Smelting & Refining Company and others, through its employees, agents, representatives, officers, directors and owners, exerts a monopolistic influence upon and is an important factor in the determination and quotation of the "market" prices on pig lead in the United States and upon the pig lead prices that it incorporates as an element of and factor in computing its prices of white lead. American Smelting & Refining Company holds a dominant position in the sale and production of pig lead in the United States, as well as in other parts of the world and quotes prices on pig lead in terms of cents per pound f. o. b. New York City. The prices thus quoted are "accepted" and treated as the "market" prices of pig lead not only by American Smelting & Refining Company but also by respondent National Lead Company and are used by both cor-

porations as a basis for trading in that important product throughout the United States.

B. Respondent National has also combined and conspired with the few remaining small and ostensibly independent manufacturers and primary sellers of white lead in the United States. In so doing, it has cooperated with and received assistance and cooperation from respondents Eagle-Picher Lead Company, Eagle-Picher Sales Company, Anaconda Copper Mining Company, International Smelting & Refining Company, The Sherwin-Williams Company, The Glidden Company, and the Lead Industries Association in which organization all respondents are members, in doing and performing the following acts and engaging in the following methods and practices:

(1) Agreed to adopt and have adopted and maintained a system of delivered price quotations which prevents reflection of any differences in the cost of delivery between the respective places of manufacture of respondent producers, the primary sellers and to the respective locations of intending purchasers of white lead;

(2) Agreed to adopt and have adopted and maintained a plan whereby the United States is divided into so-called zones whereby price offers made by the producing and primary selling respondents to all purchasers of a class throughout any one of such zones, regardless of location and the differences in freight rates from shipping point to destination, are matched, except that by prearrangement and understanding the offers made by respondents Glidden, Sherwin-Williams and International are permitted to be made and maintained at fixed differentials below the matched offers of respondents National and Eagle-Picher;

(3) Agreed to seek and secure and have sought and secured the advice, assistance and cooperation of the Lead Industries Association, its officers, employees and agents in fixing, adopting, publishing and using non-competitive terms and conditions of sale in connection with sales and offers to sell white lead in commerce;

(4) Exchanged directly and through the office of the Lead Industries Association and with the cooperation of officials of that Association price factors and information concerning price factors expected by respondents to be used and which at times have been used by the primary sellers of white lead, including the respondents, in calculating, determining and announcing their offers to sell white lead in commerce;

(5) Agreed to adopt and have adopted, maintained and used terms and conditions of sale embodied in so-called "consignment" or "agency" agreements under the leadership of respondent National Lead Company for the purpose of preventing dealers selling white lead and white lead paint from making offers to sell such products at levels lower than the offers made by the respective respondent producers whose names were affixed to such "consignment" or "agency" agreements;

(6) Agreed to fix, and have fixed and included in offers to sell, the prices, terms

and conditions at which white lead is sold and offered for sale in commerce;

(7) Respondents National and Eagle-Picher have discussed and collaborated upon carefully considered ways and means to have written into Federal specifications provisions, designed by respondent Eagle-Picher to eliminate from bidding on Federal Government proposals to buy their industry's products, prospective bidders who were known to solicit Federal Government business through bids based upon specifications different from those applicable to the products of respondents National and Eagle-Picher; and

(8) Respondent National entered into contracts and understandings with E. I. du Pont de Nemours Company, Inc., a large paint manufacturer, for the purpose and with the effect of promoting maintenance of the levels of price fixed by National and other producing and primary sellers of white lead.

PAR. 8: Each of the respondents, National, Eagle-Picher, Anaconda, International, Sherwin-Williams and Glidden, through its pursuit, adoption and use of a "Zone Delivered Pricing Method and Practice" as a part of what they hold out to have been an individual and independent course of action is contributing to and furthering the hindrance, lessening, suppression and elimination of competition in price in sales of and in offers to sell white lead in commerce as made by it and other sellers. Each said respondent thereby encourages, supports and furthers the plan and program of respondent National Lead Company, described and set forth in Paragraph 7 of Count I of this complaint, to promote and maintain monopolistic and non-competitive prices and conditions in the sale of white lead.

A. As a part of said common course of action each such respondent uses the "Zone Delivered Pricing Method and Practice" in calculating, determining, making up, announcing, publishing, and distributing its price offers and prices on white lead to its respective customers in commerce. As a part of such method and practice the entire territory of continental United States has been and is not arbitrarily divided by each of such respondents into geographical "Zones", as shown by the map inserted herein immediately following and made a part hereof.¹

B. Each such respondent has thus arbitrarily divided the United States into geographical "Zones" for the purpose of calculating, determining and announcing what the delivered cost shall be as paid by each of its prospective customers for white lead laid down at any given destination in the United States. Within the limits of the "Par" or "Base" zone, as shown on the map immediately preceding this page and which covers the Northeastern part of the country, each of the respondents quotes, in its offers, a base figure in terms of cents per pound as a delivered cost on white lead of a given quantity to all of its prospective purchasers of a given class at each of all

of the many locations throughout such "Zone," disregarding differences in cost of delivery from its plant to the thousands of destinations with said zone. The figure thus quoted as a delivered cost is not reduced in offers to sell for delivery to customers at or near the factory door of any of the respondents but is the same figure applied in offers to sell the same quantity of white lead to other customers of such respondent located hundreds of miles away from its point of production in the said "Par" or "Base" Zone territory. Therefore, the said delivered cost figure does not reflect the substantial differences necessarily involved in the costs of sale and delivery to the customers of each of the respective respondents pursuant to the aforesaid offers. Figures quoted by each of the respondents to its customers in each of the other zones are the same at each and all of the destinations within the respective zones. They are arrived at by applying to destinations in what may be designated as Zone 2, an arbitrary mark-up of 12½¢ per hundred pounds above the level of the base figure used in the "Par" or "Base" Zone, and an additional arbitrary mark-up of 12½¢ per hundred pounds for each of the succeeding zones, so that the zones carrying the highest mark-ups of 50¢, 75¢ and \$1.00 per 100 pounds are those covering the Rocky Mountain and other Western territory.

C. Each such respondent, when it makes, publishes and distributes "price cards" and other pricing information in printed, mimeographed, typed and other forms in their respective offers to sell white lead in commerce, uses several factors which, when arranged and computed in accordance with the instructions and directions included in such "price cards" and other so-called "pricing" information, causes to be presented to any given prospective purchaser of white lead of any class at any destination, matched offers to sell over the names of respondent National and respondent Eagle-Picher in any given quantity and exactly matched offers of National, Eagle-Picher, Glidden, International and Sherwin-Williams for their respective sales quotations in small quantities. For example, in their quotations and offers to sell painters in lots of less than 500 pounds, they have exactly matched their offers as follows:

Name of respondent	100 pound keg	50 pound keg	25 pound keg	12½ pound keg
National.....	\$12.75	\$6.50	\$3.32	\$1.69
Eagle-Picher.....	12.75	6.50	3.32	1.69
International.....	12.75	6.50	3.32	1.69
Sherwin-Williams.....	12.75	6.50	3.32	1.69
Glidden.....	12.75	6.50	3.32	1.69

D. Such precise and exact matching of offers to sell by such respondents is inherently and necessarily involved when each of them uses the aforesaid "Zone Delivered Pricing Method and Practice" in calculating, making and announcing their quotations, and when in so doing each uses the same factors.

E. Inherently and necessarily involved in such precise and exact matching of respondents' offers to sell white lead in

commerce at an identical delivered cost to purchasers, whenever sales are effected thereby, is a discrimination against nearby customers and in favor of more distant customers. Such discrimination is reflected in terms of substantially different mill-net prices received by each of such respondents for white lead sold in commerce, with their respective customers located at or near the respective factory doors paying more to a given respondent for the same quantity and quality of white lead than customers of the same class located hundreds of miles distant from such respective factory doors. Such discrimination is not only inherent but an obviously necessary part of respondents' aforesaid method and practice of quoting the same figure as a delivered cost to a customer across the street as it quotes to its customer located hundreds of miles away for equal quantity and quality of white lead. That is because no freight charge is involved in any sale and delivery to the customer located across the street, while a substantial part of the total delivered cost represents cost of delivery of such a heavy product when transported to the distantly located customer.

F. Each of the respondents, National, Eagle-Picher, Anaconda, International, Sherwin-Williams and Glidden, has represented to its buyers and users of white lead and other paint products, to representatives of the Federal Government and to others that it and other sellers of white lead are engaging in active and vigorous price competition, when such is not the fact. Each respondent for the purpose of promoting the belief that it and other sellers of white lead are in active and vigorous price competition represents that the "Zone Delivered Pricing Method and Practice" originated competitively, is maintained only through competition, and represents efforts of the respondents to compete with each other, when such are not the facts.

PAR. 9: Each of the respondents, National, Eagle-Picher, Anaconda, International, Sherwin-Williams and Glidden, uses the aforesaid "Zone Delivered Pricing Method and Practice", described in Paragraph 8 of this Count I, for the purpose and with the effect of enabling respondents National and Eagle-Picher to more easily match their offers to sell white lead in commerce to any given prospective purchaser and to maintain such matched offers at a prearranged differential above the respective offers of respondents Glidden, Sherwin-Williams and International, and so that each of the latter named three respondents is enabled to maintain its offers to sell white lead in commerce to any given prospective purchaser at a prearranged differential below the aforesaid matched offers of respondents National and Eagle-Picher.

Effects of Respondents' Actions

PAR. 10: The inherent and necessary effects of the adoption, use and maintenance by each of the respondents National, Eagle-Picher, Anaconda, International, Sherwin-Williams, and Glidden, of their "Zone Delivered Pricing Method and Practice", as particularized

¹ Filed as part of the original document.

in the allegations set forth in C of Paragraph 8 of this Count I, include the following, to wit:

A. The oppressive requirement that those who purchase and use white lead paint within the triangular territory bounded by Kellogg and Wallace, Idaho; Denver and Leadville, Colorado; St. Joseph, Missouri, and St. Paul and Minneapolis, Minnesota, eventually must pay as a part of what is collected by the American Smelting & Refining Company, by the respondents herein, and by others the equivalent of freight or other delivery charges for transportation of pig lead from the producing centers in such territory to New York City and transportation back to or near such producing centers, although such lead was never actually transported to or from New York City, the amounts so charged and exacted being equal to more than 25% of all that is paid by such purchasers for the white lead used by them in paint applied on their homes and barns;

B. The oppressive requirement that other users in other extensive territories, including farmers, manufacturing industries and shipbuilders (who use large quantities of white lead in the painting of homes, barns, factories and ships) pay phantom and fictitious freight on lead from various points of origin to New York City and from there to various destinations throughout the United States, when, in truth and in fact, the white lead used by such consumers was never actually transported to or from New York;

C. An undue, unjust and unlawful regional discrimination by respondents against farmers, miners, manufacturing industries and other consumers in the North Central, Rocky Mountain and Far Western states producing the raw materials for white lead and white lead paints and in favor of persons similarly engaged in the Northeastern and other states comprising respondents' "Par" or "Base" Zone;

D. Unfair and oppressive discrimination by respondents against the white lead purchasing and consuming public in large areas of the United States by depriving such purchasers of the natural advantage otherwise accruing to them from proximity to the factories of respondents and by compelling such purchasers to pay increases over what the net price of white lead to such purchasers would have been if fixed by competition among respondents, such increment in net prices to respondents approximating the advantages in freight rates to which such purchasers are entitled over purchasers remote from such factories. Such nearby purchasers are thereby compelled to pay not only the actual freight rates on the products purchased by them respectively, but in effect also to pay portions of the cost of transportation of such products to other and more distant purchasers from the respective factories;

E. An undue concentration of white lead and white lead paint manufacturing industries in territories outside of and east of the Midwestern, Rocky Mountain and far Western states which

produce the raw materials used in manufacturing said commodities;

F. A denial to prospective purchasers of white lead in commerce of the opportunity to bargain with any one of the respondents for a better price offer than made by the other respondents, thereby precluding purchasers from having any voice in determining the price they are to pay for the commodity;

G. A substantial lessening of competition among respondents in all parts of the United States, through action of each respondent voluntarily and reciprocally surrendering and cancelling the inherent advantage it has over all competitors within the territory nearer freightwise to its factory than to the factory of a competitor, in consideration of a similar surrender and cancellation by other respondents;

H. The fixation and control through respondents' concurrent and parallel action of an arbitrary and substantial portion of the delivered cost of the product to any and every purchaser upon a basis having no relation to differences in cost of production, in selling costs, and in actual transportation cost, on particular sales. Such arbitrary result is accomplished notwithstanding substantial differences in the delivered cost to the respective respondents of raw materials shipped to them and of white lead shipped by them to their respective customers;

I. An unnecessary and undue enhancement in costs of materials used by industries directly engaged in producing supplies for use in the war effort of the United States;

J. An increase in the costs of paint as paid by users thereof and an encouragement of users to utilize for painting purposes products inferior to white lead paint;

K. The exaction of arbitrary financial payments in varying sums from a large number of customers for the sole purpose of reimbursing respondents for concessions voluntarily made to other customers and of thereby accomplishing their unlawful purpose to destroy price competition in the sale of white lead and to create for themselves a monopoly therein and thereof;

L. The deception of buyers and users of paint into believing that respondents are engaging in active and vigorous price competition when in fact they are frustrating and suppressing it.

Conclusion

PAR. 11: The combinations, agreements and understandings of the respondents and their acts, practices, pricing methods, systems, devices and policies as hereinbefore alleged, all and singularly, are unfair and to the prejudice of the public; deprive the public of the benefit of competition; create discrimination against some buyers and users of white lead and white lead paint; have a dangerous tendency and capacity to restrain unreasonably commerce in said products; have actually hindered, frustrated, suppressed and eliminated competition in such products in commerce; and constitute unfair methods of competition and

unfair and deceptive acts and practices in commerce within the intent and meaning of section 5 of the Federal Trade Commission Act.

Count II—The Charge Under the Clayton Act

PARAGRAPH 1: Pursuant to the provisions of Section 2 of an act of Congress approved October 15, 1914, entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes", commonly known as the Clayton Act, as amended by an act of Congress approved June 19, 1936, commonly known as the Robinson-Patman Act, the Commission, having reason to believe that the parties named in the caption hereof, and more particularly described and referred to hereinafter as respondents, have violated the provisions of said act of Congress as so amended, and it appearing to the Commission that a proceeding by it in respect thereof would be in the public interest, the Commission hereby issues its complaint, stating its charges in such respect as follows:

Nature of Charges

PAR. 2: The charges hereinafter contained in this Count II are that each of the respondents has been and is now unlawfully discriminating as between its customers in the prices it charges, demands, accepts and receives in connection with the sale of white lead in commerce.

Description of Respondents; Definitions and Explanations of Terms; Description and History of Industry and the Commerce of Respondents

PAR. 3-5: As paragraphs 3 to 5, inclusive, of Count II, the Commission incorporates Paragraphs 3 to 5, inclusive, of Count I of this complaint to precisely the same extent and effect as if each and all of them were set forth in full and repeated verbatim in this Count II, except the definition of the term "commerce". The term "commerce" as hereinafter used means "commerce" as defined and set forth in the Clayton Act.

Offenses Charged

PAR. 6: Since June 19, 1936, and while engaged as aforesaid in commerce among the several states of the United States and the District of Columbia, each of the respondents National, Eagle-Picher, Anaconda, International, Sherwin-Williams and Glidden, has been and is now, in the course of such commerce, discriminating in price between purchasers of said commodities of like grade and quality, sold for use, consumption or resale within the several states of the United States and the District of Columbia, in that each of the respondents has been and is now systematically selling such commodities to many purchasers at a price higher than the price at which commodities of like grade and quality are sold by it to other purchasers and users, including purchasers competitively engaged with others who pay either the lower or the higher discriminatory prices.

PAR. 7: Each of the respondents uses a "Zone Delivered Pricing Method and Practice" in calculating, determining, making up, announcing, publishing, and distributing its offers to its respective customers to sell them white lead in commerce. As an incident to and a part of such method and practice, the entire territory of continental United States has been and is now divided by each of such respondents for pricing purposes into geographical "Zones," as shown by the map¹ appearing at page 13 of Count I of this complaint. By this allegation and by such reference said map is hereby inserted as a part of Count II hereof as fully as though it had been physically reproduced at this point.

PAR. 8: In using its aforesaid "Zone Delivered Pricing Method and Practice", each of the respondents, National, Eagle-Picher, Anaconda, International, Sherwin-Williams and Glidden, so quotes prices in its offers to sell that when it sells white lead in commerce in accordance and in connection therewith, the delivered cost on a specified quantity of white lead as paid by any one of its customers located at or near the factory door of such respondent, amounts to as much as the delivered cost on the same quantity of white lead as paid to such respondent by any one of other customers located hundreds of miles away in the same "Zone", although substantial differences are involved in the costs of delivery to such nearby customer and the more distantly located ones.

PAR. 9: Systematic discriminations in net prices against nearby customers and in favor of their more distantly located customers are inherent in the use of the aforesaid "Zone Delivered Pricing Method and Practice" when sales are effected and the buyers pay in accordance with quotations of matched delivered costs as made by each of the respondents, National, Eagle-Picher, Anaconda, International, Sherwin-Williams and Glidden, to their respective customers.

PAR. 10: When sales are made to customers located at or near the borders of adjoining or contiguous "Zones" pursuant to the aforesaid "Zone Delivered Pricing Method and Practice", each of the respondents, National, Eagle-Picher, Anaconda, International, Sherwin-Williams and Glidden, charges, demands, accepts and receives higher prices from some purchasers than from other and competing purchasers in different zones and there is discrimination in the delivered costs of white lead to different purchasers by each of such respondents in addition to substantial differences in the mill net prices received by each of them.

PAR. 11: Each of the respondents, National, Eagle-Picher, Anaconda, International, Sherwin-Williams and Glidden has been and is now classifying its customers to receive from such respondents quantity, trade and regional discounts from quoted prices so that, by virtue of such classifications and action pursuant thereto by each such respondent, it

charges, demands, accepts and receives higher prices in connection with sales of white lead in commerce from some of its customers than from other customers, even though said customers who pay such higher prices are competitively engaged with the customers who pay such lower prices.

PAR. 12: Each of the respondents, National, Eagle-Picher, International, Sherwin-Williams and Glidden practices the aforesaid systematic discriminations in price, for the purpose and with the effect of enabling respondents National and Eagle-Picher to exactly match their offers to sell white lead in commerce to any given prospective purchaser and to maintain such matched offers at a prearranged differential above the respective offers of respondents Glidden, Sherwin-Williams and International, so that each of the latter named three respondents may maintain identical offers to sell white lead in commerce to any given prospective purchasers at a prearranged differential below the aforesaid matched offers of respondents National and Eagle-Picher.

Effects of Price Discriminations Practiced by Respondents

PAR. 13: The discriminations in price practiced by respondents, as particularized and alleged in paragraphs 6, 7, 8, 9, 10 and 11 of this Count II, include the results and effects set forth as follows:

A. The allegations of the results and effects that are made and set out in subparagraphs A, B, C, D, E, F, G and H of Paragraph 10 of count I hereof are hereby alleged as results and effects of respondents' price discriminations alleged in Paragraphs 6, 7, 8, 9, 10 and 11 of this Count II, and are hereby incorporated in this subparagraph of this Paragraph 13 of Count II to precisely the same extent as though each said subparagraph A, B, C, D, E, F, G and H of Paragraph 10 of Count I were set forth in full and repeated verbatim as a part hereof;

B. A further effect of the aforesaid discriminations in price by said respondents may be substantially to lessen competition in the sale and distribution of white lead between said respondents and their competitors, tend to create a monopoly in the line of commerce in which the respondents are engaged; and to injure, destroy and prevent competition between said respondents and their competitors in the sale and distribution of white lead;

C. Further effects of the aforesaid discriminations in price by said respondents may be substantially to lessen competition between the buyers of white lead receiving the lower discriminatory prices from respondents and other buyers competitively engaged with such favored buyers and who pay higher discriminatory prices; tend to create a monopoly in the lines of commerce in which buyers from respondents are engaged; and to injure, destroy and prevent competition in the lines of commerce in which purchasers from respondents engaged as between the beneficiaries of said discriminatory prices and competing buyers who are required to pay the higher discriminatory prices.

Conclusion

PAR. 14: Therefore the aforesaid discriminations in price by each of the respondents constitute violations of the provisions of subsection (a) of section 2 of the Clayton Act, as amended by the Robinson-Patman Act, approved June 19, 1936 (49 Stat. 1526; 15 U.S.C.A., sec. 13, as amended).

Wherefore, the premises considered, the Federal Trade Commission on this 25th day of November, A. D. 1944, issues its complaint against said respondents.

Notice

Notice is hereby given you, National Lead Company, a corporation, Eagle-Picher Lead Company, a corporation, Eagle-Picher Sales Company, a corporation, Anaconda Copper Mining Company, a corporation, International Smelting & Refining Company, a corporation, The Sherwin-Williams Company, a corporation, and The Glidden Company, a corporation, respondents herein, that the 29th day of December, A. D. 1944, at 2 o'clock in the afternoon, is hereby fixed as the time, and the offices of the Federal Trade Commission, at 45 Broadway, in the City of New York, N. Y., as the place, when and where a hearing will be had on the charges set forth in this complaint, at which time and place you will have the right, under said act, to appear and show cause why an order should not be entered by said Commission requiring you to cease and desist from the violations of the law charged in the complaint.

You are notified and required, on or before the twentieth day after service upon you of this complaint, to file with the Commission an answer to the complaint. If answer is filed and if your appearance at the place and on the date above stated be not required, due notice to that effect will be given you. The rules of practice adopted by the Commission with respect to answers or failure to appear or answer (Rule IX) provide as follows:

In case of desire to contest the proceeding the respondent shall, within twenty (20) days from the service of the complaint, file with the Commission an answer to the complaint. Such answer shall contain a concise statement of the facts which constitute the ground of defense. Respondent shall specifically admit or deny or explain each of the facts alleged in the complaint, unless respondent is without knowledge, in which case respondent shall so state.

Failure of the respondent to file answer within the time above provided and failure to appear at the time and place fixed for hearing shall be deemed to authorize the Commission, without further notice to respondent, to proceed in regular course on the charges set forth in the complaint.

If respondent desires to waive hearing on the allegations of fact set forth in the complaint and not to contest the facts, the answer may consist of a statement that respondent admits all the material allegations of fact charged in the complaint to be true. Respondent by such answer shall be deemed to have waived a hearing on the allegations of fact set forth in said complaint and to have authorized the Commission, without further evidence, or other intervening procedure, to find such facts to be true.

Contemporaneously with the filing of such answer the respondent may give notice in

¹ Filed with the Division of the Federal Register.

writing that he desires to be heard on the question as to whether the admitted facts constitute the violation of law charged in the complaint. Pursuant to such notice, the respondent may file a brief, directed solely to that question, in accordance with Rule XXIII.

In witness whereof, the Federal Trade Commission has caused this, its complaint, to be signed by its Secretary, and its official seal to be hereto affixed, at Washington, D. C., this 25th day of November, A. D. 1944.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-18152; Filed, Nov. 29, 1944;
10:44 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Rev. SR 14, Order 11]

P. LORILLARD CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to section 6.56 (a) (1) (ii) of Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation; *It is ordered, That:*

(a) P. Lorillard Company, 119 West 40th Street, New York 18, N. Y., (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each of the following items of scrap chewing tobacco at the appropriate maximum list prices and maximum retail prices set forth below:

Brand	Variety	Quantity of package contents	Maximum list price per dozen packages	Maximum retail price per package
Beech-Nut scrap chewing tobacco.	Sweet.....	2oz. 2 3/4	\$1.44	15
Bagpipe scrap chewing tobacco.	Sweet.....	2oz. 2 3/4	1.44	15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of the items of scrap chewing tobacco for which maximum prices are established by this order, the discounts and allowances they customarily granted during March 1942 on their sales of such items to purchasers of the same class, unless a change therein results in a lower price.

(c) Every retailer shall maintain, with respect to his sales of the items of scrap chewing tobacco for which maximum prices are established by this order, the customary price differentials below the manufacturer's stated retail prices allowed by him during March 1942 with respect to such brand and variety of scrap chewing tobacco in 2-ounce packages.

(d) The manufacturer and every other seller (except a retailer) of the items of scrap chewing tobacco for which maximum prices are established by this order, shall notify the purchaser of such maximum prices. The notice shall con-

form to and be given in the manner prescribed by section 6.56 (d) of Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation.

(e) Unless the context otherwise requires, the provisions of section 6.56 (except paragraph (a) (2)) of Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation shall apply to sales for which maximum prices are established by this order.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 29, 1944.

Issued this 28th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-18143; Filed, Nov. 28, 1944;
4:43 p. m.]

Brand	Variety	Quantity of package contents	Maximum list price per dozen packages	Maximum retail price per package	Discounts on list prices
La Roma Cigar Clippings, uncut.	Plain.....	Ounces 6	\$3.83	Cents 39	Percent 11
La Roma Cigar Clippings, uncut.	Plain.....	12	7.39	77	10
La Roma Cigar Clippings, cut.	Plain.....	12	7.96	83	11
La Roma Cigar Clippings.	Plain.....	14	6.45	85	None
Black Rose Cigar Clippings.	Plain.....	6	4.07	41	10
Black Rose Cigar Clippings.	Plain.....	12	7.96	83	11
Yellow Lion Cigar Clippings.	Plain.....	12	7.39	77	10
Pamperin's Cigar Tucks.	Plain.....	12	7.39	77	10
Miller's Cigar Clippings.	Plain.....	12	7.96	83	12
Dutell Cigar Clippings.	Plain.....	6	3.48	35	15
Dutell Cigar Clippings.	Plain.....	12	7.60	70	23
Eby Cigar Clippings.	Plain.....	6	4.03	42	15
Fairway Cigar Clippings.	Plain.....	3	3.00	30	10
Fairway Cigar Clippings.	Plain.....	10	5.90	60	10
Fauth Star Clippings.	Plain.....	5	2.75	30	None
Fauth Star Clippings.	Plain.....	10	5.50	60	None
Knauf Cut Leaf Clippings.	Plain.....	6	3.72	36	8
Key West Cigar Clippings.	Plain.....	6	3.94	41	10
Maple City Cigar Clippings.	Plain.....	6	3.94	41	10
Red Feather Cigar Clippings.	Plain.....	3	2.15	20	25
Red Feather Cigar Clippings.	Plain.....	8	5.04	50	16
Red Heart Cigar Clippings.	Plain.....	5	2.88	30	14
Red Heart Cigar Clippings.	Plain.....	10	5.80	61	16
Springfield Cigar Clippings.	Plain.....	4	2.70	30	15
Springfield Cigar Clippings.	Plain.....	8	5.09	53	15
Steffens Cigar Clippings.	Plain.....	8	4.50	47	7
K. K. Cigar Clippings.	Plain.....	6	3.46	36	12
Racines Cigar Clippings.	Plain.....	10	5.92	61	10
Mayflower Cigar Clippings.	Plain.....	6	4.22	44	15
Mayflower Cigar Clippings.	Plain.....	12	7.75	83	15
"33" Cigar Clippings.	Plain.....	7	4.37	46	20
"33" Cigar Clippings.	Plain.....	14	8.17	85	16

(b) The manufacturer and wholesalers shall grant, with respect to their sales of the items of scrap chewing tobacco for which maximum prices are established by this order, the discounts and allowances they customarily granted during March 1942 on their sales of such items to purchasers of the same class, unless a change therein results in a lower price.

(c) Every retailer shall maintain, with respect to his sales of the items of scrap chewing tobacco for which maximum prices are established by this order, the customary price differentials below the manufacturer's stated retail price allowed by him during March 1942 with respect to such items.

(d) The manufacturer and every other seller (except a retailer) of an item of scrap chewing tobacco for which maximum prices are established by this order, shall notify the purchaser of such maximum prices. The notice shall conform to and be given in the manner prescribed by section 6.56 (d) of Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation.

[Rev. SR 14, Order 12]

PAMPERIN CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to section 6.56 (a) (2) (ii) of Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation: *It is ordered, That:*

(a) The Pamperin Cigar Company, 113 and 115 South Second Street, La Crosse, Wisconsin (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each of the following items of scrap chewing tobacco at the appropriate maximum list price and maximum retail price set forth below:

(e) Unless the context otherwise requires, the provisions of section 6.56 of Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation shall apply to sales for which maximum prices are established by this order.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 29, 1944.

Issued this 28th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-18144; Filed, Nov. 28, 1944;
4:43 p. m.]

[Rev. SR 14, Order 13]

SCHENCK-KEMPSHALL CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to section 6.56 (a) (2) (ii) of Revised

Supplementary Regulation No. 14 to the General Maximum Price Regulation; *It is ordered, That:*

(a) Schenck-Kempshall Cigar Co., Inc., Maroa, Illinois (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each of the following items of scrap chewing tobacco at the appropriate maximum list price and maximum retail price set forth below:

Brand	Variety	Quantity of package contents	Maximum list price per dozen packages	Maximum retail price per package
Schenck Big Boy.....	Plain.....	Oz. 8	\$4.79	Cts. 47

(b) The manufacturer and wholesaler shall grant, with respect to their sales of each item of scrap chewing tobacco for which maximum prices are established by this order, the discounts and allowances they customarily granted during March 1942 on their sales of such item to purchasers of the same class, unless a change therein results in a lower price.

(c) Every retailer shall maintain, with respect to his sales of each item of scrap chewing tobacco for which maximum prices are established by this order, the customary price differentials below the manufacturer's stated retail price allowed by him during March 1942 with respect to such item.

(d) The manufacturer and every other seller (except a retailer) of an item of scrap chewing tobacco for which maximum prices are established by this order, shall notify the purchaser of such maximum prices. The notice shall conform to and be given in the manner prescribed by section 6.56 (d) of Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation.

(e) Unless the context otherwise requires, the provisions of section 6.56 of Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation shall apply to sales for which maximum prices are established by this order.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 29, 1944.

Issued this 28th day of November 1944,

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-18145; Filed, Nov. 28, 1944;
4:43 p. m.]

[Rev. SR 14, Order 14]

BOWERS AND SON

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to section 6.56 (a) (2) (ii) of Re-

vised Supplementary Regulation No. 14 to the General Maximum Price Regulation; *It is ordered, That:*

(a) Bowers & Son, 666 South Smith Avenue, St. Paul, Minnesota (hereinafter called "manufacturer"), and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each of the following items of scrap chewing tobacco at the appropriate maximum list price and maximum retail price set forth below:

Brand	Variety	Quantity of package contents	Maximum list price per dozen packages	Maximum retail price per package
Schneider's Cigar Clippings.	Plain.....	Oz. 6 1/2	\$3.66	Cts. 36 7/2

(b) The manufacturer and wholesaler shall grant, with respect to their sales of each item of scrap chewing tobacco for which maximum prices are established by this order, the discounts and allowances they customarily granted during March 1942 on their sales of such item to purchasers of the same class, unless a change therein results in a lower price.

(c) Every retailer shall maintain, with respect to his sales of each item of scrap chewing tobacco for which maximum prices are established by this order, the customary price differentials below the manufacturer's stated retail price allowed by him during March 1942 with respect to such item.

(d) The manufacturer and every other seller (except a retailer) of an item of scrap chewing tobacco for which maximum prices are established by this order, shall notify the purchaser of such maximum prices. The notice shall conform to and be given in the manner prescribed by section 6.56 (d) of Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation.

(e) Unless the context otherwise requires, the provisions of section 6.56 of Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation shall apply to sales for which maximum prices are established by this order.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 29, 1944.

Issued this 28th day of November 1944,

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-18146; Filed, Nov. 28, 1944;
4:44 p. m.]

[Rev. SR 14, Order 15]

ARTHUR C. DIDIER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant

to section 6.56 (a) (2) (ii) of Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation; *It is ordered, That:*

(a) Arthur C. Didier, 1418 Spy Run Avenue, Fort Wayne, Indiana, (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each of the following items of scrap chewing tobacco at the appropriate maximum list price and maximum retail price set forth below:

Brand	Variety	Quantity of package contents	Maximum list price per dozen packages	Maximum retail price per package
Didier's C. A. D. Cigar Clippings.	Plain.....	Oz. 8	\$4.22	Cts. 44
El Vee Cigar Clippings.....	Plain.....	8	4.22	44
Royal Cigar Clippings.....	Plain.....	8	4.22	44
Didier's C. A. D. Cigar Tucks.	Plain.....	7	4.60	48
El Vee Cigar Tucks.....	Plain.....	7	4.60	48
Didier's C. A. D. Cigar Tucks.	Plain.....	2 1/2	1.72	18

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each item of scrap chewing tobacco for which maximum prices are established by this order, the discounts and allowances they customarily granted during March 1942 on their sales of such item to purchasers of the same class, unless a change therein results in a lower price.

(c) Every retailer shall maintain, with respect to his sales of each item of scrap chewing tobacco for which maximum prices are established by this order, the customary price differentials below the manufacturer's stated retail price allowed by him during March 1942 with respect to such item.

(d) The manufacturer and every other seller (except a retailer) of an item of scrap chewing tobacco for which maximum prices are established by this order, shall notify the purchaser of such maximum prices. The notice shall conform to and be given in the manner prescribed by section 6.56 (d) of Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation.

(e) Unless the context otherwise requires, the provisions of section 6.56 of Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation shall apply to sales for which maximum prices are established by this order.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 29, 1944.

Issued this 28th day of November 1944,

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-18147; Filed, Nov. 28, 1944;
4:44 p. m.]

[MPR 64, Order 162]

GENERAL ELECTRIC SUPPLY CORP.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 8 of Maximum Price Regulation No. 64, It is ordered:

(a) The maximum price for sales to retailers by General Electric Supply Corporation, St. Louis, Missouri, of a space heater which it manufactures by converting a Model No. FM 8D 11 Food Dehydrator, and described in an application dated October 21, 1944, is \$14.37 each. This price is f. o. b. St. Louis, Missouri, and is subject to a cash discount of 2% for payment within ten days.

(b) The maximum price for sales at retail by any person of the converted space heater described in paragraph (a) above is \$23.00 each, delivered.

(c) The General Electric Supply Corporation, St. Louis, Missouri, shall plainly mark each heater with the retail ceiling price before shipping it to a purchaser for resale. This shall be done by attaching a tag or label. A statement in the following form will be satisfactory.

OPA Retail Ceiling Price----- \$23.00

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 29th day of November 1944.

Issued this 28th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-18142; Filed, Nov. 28, 1944;
4:42 p. m.]

[MPR 188, Order 56 Under 2d Rev. Order A-3]

STANDARD FURNITURE CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Second Revised Order A-3 under § 1499.159b of Maximum Price Regulation No. 188; it is ordered:

(a) *Manufacturer's maximum prices.* Standard Furniture Company, Herkimer, New York, may sell and deliver the wood office furniture of its manufacture, at prices no higher than its maximum net prices for such sales in effect immediately prior to the effective date of this order, plus an adjustment charge of 1.1 percent of each such maximum price. This adjustment applies only to those items which are listed on the manufacturer's price lists dated April 26, 1944, and for which a maximum price was established under Maximum Price Regulation No. 188 prior to the effective date of this order. This adjustment charge may be made and collected only if separately stated. The adjusted prices are subject to the manufacturer's customary discounts, allowances, and other price differentials in effect during

March 1942 on sales to each class of purchaser.

(b) *Maximum prices of purchasers for resale.* Any purchaser for resale, who handles the wood office furniture for which the manufacturer's maximum prices have been adjusted as provided in paragraph (a) in the course of its distribution from the manufacturer to the user, may add to his properly established maximum prices for those articles, in effect immediately prior to the effective date of this order, the dollar-and-cents amount of the adjustment charge which he is required to pay the manufacturer, provided such amount is separately stated. The adjusted prices are subject to the seller's customary discounts, allowances, and other price differentials in effect during March 1942 on sales to each class of purchaser.

(c) *Notification.* Every person who makes a sale or delivery at an adjusted price permitted by this order shall furnish the purchaser with an invoice containing the following notice:

NOTICE OF OPA ADJUSTMENT

Order No. 56 under 2d Revised Order A-3 under MPR 188 authorizes all sellers of the articles covered by this invoice to adjust their ceiling prices, in effect prior to November 29, 1944 by adding no more than the exact dollars-and-cents amount of the adjustment charge appearing on this invoice, provided that amount is separately stated on an invoice which contains this notice.

(d) *Profit and loss statements.* After the effective date of this order, Standard Furniture Company, shall submit to the Office of Price Administration a detailed quarterly profit and loss statement within thirty days after the close of each quarter.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 29th day of November 1944.

Issued this 28th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-18141; Filed, Nov. 28, 1944;
4:47 p. m.]

[MPR 188, Rev. Order 821]

YOUNG MANUFACTURING CO., INC.

APPROVAL OF MAXIMUM PRICES

Order No. 821, under § 1499.158 of Maximum Price Regulation No. 188 is revised and amended to read as follows:

(a) This revised order establishes maximum prices for sales and deliveries, of a chifforobe manufactured by Young Manufacturing Company, P. O. Box 53, Norwood, North Carolina.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Chifforobe.....	10	Each \$11.01	Each \$12.95

These prices are f. o. b. factory, and are for the article described in the manufacturer's application dated September 4, 1943, which was completed September 21, 1943.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this revised order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article and Model No.:	Maximum price to retailers (each)
Chifforobe, 10.....	\$12.95

This price is f. o. b. factory, and it is for the article described in your application dated September 4, 1943, which was completed September 21, 1943.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this revised order for such resales. This notice may be given in any convenient form.

(c) This revised order may be revoked or amended by the Price Administrator at any time.

This revised order shall become effective on the 29th day of November 1944.

Issued this 28th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-18127; Filed, Nov. 28, 1944;
4:47 p. m.]

[MPR 188, Rev. Order 1833]

ORIENTAL WROUGHT IRON WORKS, INC.

APPROVAL OF MAXIMUM PRICES

Order No. 1833 under § 1499.158 of Maximum Price Regulation No. 188 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) The maximum prices for all sales and deliveries by Oriental Wrought Iron Works, Inc., 1720 Mishawaka Avenue, South Bend, Indiana, of ten clothes hampers of its manufacture as described in its application dated July 3, 1943, from the time Maximum Price Regulation No. 188 became applicable to those sales and deliveries, are as follows:

Article	Model No.	Maximum price to persons, other than retailers, who sell the article from manufacturer's stock	Maximum price to retailers
		<i>Each</i>	<i>Each</i>
Hamper.....	4	\$3.40	\$4.00
	14	2.85	3.35
	7	3.23	3.80
	17	2.68	3.15
	1,117	2.21	2.60
	918	1.62	1.90
	418	2.64	3.10
	718	2.51	2.95
	320	2.72	3.20
	1,420	1.96	2.30

These prices are f. o. b. South Bend, Indiana and are subject to a cash discount of 1% for payment within 10 days, net 30 days.

For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices are those determined by applying to the prices specified the discounts, allowances, and other price differentials made by the manufacturer during March 1942 on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and those sales or deliveries may not be made until authorized by the Office of Price Administration.

(b) The maximum price for all sales and deliveries to retailers by any person, other than the manufacturer, who sells the clothes hampers described in paragraph (a) above from the manufacturer's stock, shall be the prices set forth below:

Article and Model:	Maximum price to retailers
Hamper, 4.....	\$4.00
Hamper, 14.....	3.35
Hamper, 7.....	3.80
Hamper, 17.....	3.15
Hamper, 1117.....	2.60
Hamper, 918.....	1.90
Hamper, 418.....	3.10
Hamper, 718.....	2.95
Hamper, 320.....	3.20
Hamper, 1420.....	2.30

(c) At the time of or prior to the first invoice to each purchaser of the clothes hampers described above who resells to retailers, after the effective date of this revised order, the manufacturer shall notify the purchaser in writing of the maximum prices established by this order for his resales. This written notice may be given in any convenient form.

(d) This revised order may be revoked or amended by the Price Administrator at any time.

This revised order shall become effective on the 29th day of November 1944.

Issued this 28th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-18128; Filed, Nov. 28, 1944;
4:47 p. m.]

[MPR 188, Order 2978]

STUART WOODCRAFT CORP.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a smoke stand manufactured by Stuart Woodcraft Corporation, 131-31 Merrick Blvd., Springfield Gardens 13, Long Island, New York.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
		<i>Each</i>	<i>Each</i>
Smoke Stand.....	100	\$1.55	\$1.95

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated June 12, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until au-

thorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price set forth below, f. o. b. factory:

Article and Model No.:	Maximum price to retailers (each)
Smoke stand, 100.....	\$1.95

This price is subject to a cash discount of two percent for payment within ten days, net thirty days, and is for the article described in the manufacturer's application dated June 12, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 29th day of November 1944.

Issued this 28th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-18129; Filed, Nov. 28, 1944;
4:48 p. m.]

[MPR 188, Order 2979]

EISENBERG MATTRESS CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 and Order No. 1509 under § 1499.159b of Maximum Price Regulation No. 188, *It is ordered:*

(a) For all sales and deliveries to wholesalers by Eisenberg Mattress Company, 683 Rockaway Avenue, Brooklyn, New York, of articles of bedding which it manufactures, the maximum prices shall be computed by deducting 15% from its established maximum prices to retailers. The maximum prices, so determined, are net.

(b) For all sales and deliveries by wholesalers, other than export wholesalers, who sell the articles of bedding manufactured by the Eisenberg Mattress Company, to retailers, from the manufacturer's stock, the maximum prices shall be the same as the maximum prices of Eisenberg Mattress Company for sales and deliveries to retailers.

(c) At the time of or prior to the first invoice to each wholesaler, after the effective date of this order, the manufacturer shall notify the purchaser, in writ-

ing of the maximum prices established by this order for sales by the purchaser.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 29th day of November 1944.

Issued this 28th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-18130; Filed, Nov. 28, 1944;
4:48 p. m.]

[MPR 188, Order 2980]

SUMMERBELL ROOF STRUCTURES
APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a bunk bed manufactured by Summerbell Roof Structures, 1746 Thirteenth Street, Oakland, California.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Bunk bed.....	10	Each \$11.98	Each \$14.10

These prices are f. o. b. factory, and are for the article described in the manufacturer's application dated October 3, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article and Model No.:	Maximum price to retailers (each)
Bunk bed, 10.....	\$14.10

This price is for the article described in the manufacturer's application dated October 3, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 29th day of November 1944.

Issued this 28th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-18131; Filed, Nov. 28, 1944;
4:48 p. m.]

[MPR 188, Order 2981]

C. L. BRADFORD & ASSOCIATES
APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of a child's rocker manufactured by C. L. Bradford & Associates, 1464 Merchandise Mart, Chicago 54, Illinois.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Child's rocker.....	10	Each \$1.28	Each \$1.60

These price are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated October 2, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same

terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article and Model No.:	Maximum price to retailers (each)
Child's rocker, 10.....	\$1.60

This price is subject to a cash discount of two percent for payment within ten days, net thirty days, and is for the article described in the manufacturer's application dated October 2, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 29th day of November 1944.

Issued this 28th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-18132; Filed, Nov. 28, 1944;
4:46 p. m.]

[MPR 188, Order 2982]

COY E. BICKLE

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a magazine shelf manufactured by Coy E. Bickle, 1032 N. Vermont Street, Arlington, Virginia.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Magazine shelf.....	1	Each \$1.23	Each \$1.45

These prices are f. o. b. factory, and are subject to a cash discount of one percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated October 11, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article and Model No.:	Maximum price to retailers (each)
Magazine shelf, 1.....	\$1.45

This price is subject to a cash discount of one percent for payment within ten days, net thirty days and is for the article described in the manufacturer's application dated October 11, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 29th day of November 1944.

Issued this 28th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-18133; Filed, Nov. 28, 1944; 4:42 p. m.]

[MPR 188, Order 2983]

WILSHIRE PRODUCTS CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188; It is ordered:

(a) This order establishes maximum prices for sales and deliveries, of two bars, a back bar and a stool manufactured by Wilshire Products Company, 3165 Cahuenga Blvd., Los Angeles, California.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Bar.....	42" bar.....	Each \$42.28	Each \$49.75
Back bar.....	46" bar.....	53.95	63.48
Stool.....	Back bar.....	22.77	26.79
	Stool.....	7.00	8.23

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated June 10, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article and Model No.:	Maximum price to retailers (each)
Bar, 42".....	\$49.75
Bar, 46".....	63.48
Back bar, back bar.....	26.79
Stool, stool.....	8.23

These prices are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the

articles described in the manufacturer's application dated June 10, 1944.

(i) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 29th day of November 1944.

Issued this 28th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-18134; Filed, Nov. 28, 1944; 4:42 p. m.]

[MPR 188, Order 2984]

SHEEHY & FRIEDLER

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188; It is ordered:

(a) This order establishes maximum prices for sales and deliveries, of a juvenile set manufactured by Sheehy & Friedler, 229 Jackson Street, Hempstead, New York.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Juvenile set.....	101	Each \$4.77	Each \$5.62

These prices are f. o. b. factory, and are subject to a cash discount of two percent, and are for the article described in the manufacturer's application dated October 2, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allowances, and other price differentials made by the manufacturer, during March 1942,

on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price set forth below, f. o. b. factory:

Article and Model No.:	Maximum price to retailers (each)
Juvenile set, 101-----	\$5.62

This price is subject to a cash discount of two percent, and is for the article described in the manufacturer's application dated October 2, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 29th day of November 1944.

Issued this 28th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-18135; Filed, Nov. 28, 1944;
4:48 p. m.]

[MPR 188, Order 3005]

GLASSMAN NOVELTY CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188; It is ordered:

(a) This order establishes maximum prices for sales and deliveries of two mirrored smoking stands manufactured by Glassman Novelty Co., 3616 Montrose Ave., Chicago, Illinois.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Mirrored smoking stand.	500	Each \$5.47	Each \$6.84
	500H	5.77	7.21

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated July 12, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article and Model No.:	Maximum price to retailers (each)
Mirrored smoking stand, 500-----	\$6.84
Mirrored smoking stand, 500H-----	7.21

These prices are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated July 12, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 29th day of November 1944.

Issued this 28th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-18136; Filed, Nov. 28, 1944;
4:46 p. m.]

[MPR 188, Order 3006]

PEERLESS WOOD PRODUCTS SALES CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188; It is ordered:

(a) This order establishes maximum prices for sales and deliveries, of four chests manufactured by Peerless Wood Products Sales Company, 713 Connecticut Boulevard, East Hartford, Connecticut.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Chest-----	D-426	Each \$13.36	Each \$15.72
	D-530	15.62	18.37
	D-336B	14.85	17.51
	D-548	16.79	19.75

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated October 12, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article and Model No.:	Maximum price to retailers (each)
Chest, D-426-----	\$15.72
Chest, D-530-----	18.37
Chest, D-336B-----	17.51
Chest, D-548-----	19.75

These prices are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated October 12, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 29th day of November 1944.

Issued this 28th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-18137; Filed, Nov. 28, 1944;
4:45 p. m.]

[MPR 188, Order 3007]

DAHLIN BROTHERS

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a magazine rack manufactured by Dahlin Brothers, 5th and Armstrong, Kansas City, Kansas.

(1) (i) For all sales and deliveries since the effective date of maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Magazine rack.....	4	Each \$1.23	Each \$1.45

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated October 19, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to

the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article and Model No.:	Maximum price to retailers (each)
Magazine rack, 4.....	\$1.45

This price is subject to a cash discount of two percent for payment within ten days, net thirty days, and is for the article described in the manufacturer's application dated October 19, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 29th day of November 1944.

Issued this 28th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-18138; Filed, Nov. 28, 1944;
4:45 p. m.]

[MPR 188, Order 3008]

BEAVER ELECTRIC AND SPECIALTY CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of a "Take-About-Highchair" manufactured by Beaver Electric and Specialty Co., 3107 Rocklynn Drive, Des Moines, Iowa.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Take-about-highchair....	10	Each \$1.82	Each \$2.15

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated September 12, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum price is that set forth below, f. o. b. factory:

Article and Model No.:	Maximum price to retailers (each)
"Take-about-highchair", 10.....	\$2.15

This price is subject to a cash discount of two percent for payment within ten days, net thirty days, and is for the article described in the manufacturer's application dated September 12, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resales. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 29th day of November 1944.

Issued this 28th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-18139; Filed, Nov. 28, 1944;
4:46 p. m.]

[MPR 188, Order 3009]

BATESBURG CABINET WORKS

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries, of a chifforobe and a wardrobe manufactured by Batesburg Cabinet Works, P. O. Box 271, Batesburg, South Carolina.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Chifforobe.....	42	Each \$16.45	Each \$19.35
Wardrobe.....	42	Each 14.45	Each 17.00

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated June 1, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this order to retailers by persons, other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article and Model No.:	Maximum price to retailers
Chifforobe, 42.....	\$19.35
Wardrobe, 42.....	17.00

These prices are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated June 1, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser

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or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this order for such resale. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 29th day of November 1944.

Issued this 28th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-18140; Filed, Nov. 28, 1944;
4:44 p. m.]

[MPR 188, Order 73 Under Order A-2]

MAJESTIC PRODUCTS

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Order A-2 issued under § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturer's maximum prices.* H. Pakchar, doing business as Majestic Products, 649 Tenth Avenue, New York, New York, for all its sales and deliveries to retailers of the childrens' hot water plates described in his application of July 27, 1944, may increase his maximum price from \$21 per dozen to \$30 per dozen. This adjusted price is subject to a cash discount of 2% for payment within 10 days, net 30 days.

(b) *Retailers' prices.* All retailers may add 75 cents per unit to their maximum price for the childrens' hot water plate manufactured by the H. Pakchar doing business as Majestic Products, as determined under the General Maximum Price Regulation on the basis of the manufacturer's maximum price prior to the adjustment authorized by this order.

(c) At the time of or prior to the first invoice to each retailer, H. Pakchar doing business as Majestic Products, shall give notice in writing to the purchaser of the method of determining retailers' maximum prices established by this order. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 30th day of November 1944.

Issued this 29th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-18167; Filed, Nov. 29, 1944;
11:18 a. m.]

[Supp. Order 99, Order 1]

SUPERIOR, INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to § 1305.127 of Supplementary Order No. 99, and § 1372.101 (c) of Maximum Price Regulation 210, *It is ordered:*

(a) On and after November 30, 1944, Superior, Incorporated, Piqua, Ohio, may sell and deliver to any retailer, and any retailer may buy and receive from it, the following designated fall and winter knitted underwear manufactured by Superior, Incorporated, at prices not in excess of the following adjusted ceiling prices:

Garment and Adjusted Ceiling Price (Per Dozen)

Style No. 1510—Men's Union Suit, Superior Brand, Random Cotton, 12 lbs. per dozen, finished weight, regular sizes, long sleeve, ankle length or quarter sleeve, three-quarter leg.....	\$16.09
Style No. 1540—Men's Union Suit, Superior Brand, White Cotton, 12 lbs. per dozen, finished weight, regular sizes, long sleeve, ankle length or quarter sleeve, three-quarter leg.....	15.72
Style No. 1580—Men's Union Suit, Superior Brand, Ecru, Heavy Napped Cotton, 16 lbs. per dozen, finished weight, regular sizes, long sleeve, ankle length or quarter sleeve, ankle length.....	17.53
Style No. 1820—Men's Union Suit, Superior Brand, Extra Heavy Napped Random Cotton, 16 lbs. per dozen, finished weight, regular sizes, long sleeve, ankle length or quarter sleeve, ankle length.....	17.74

(b) The maximum prices set forth in paragraph (a) above are subject to terms of 2/10 EOM or net 60 days.

(c) On and after November 30, 1944, the ceiling price for a sale at retail of any of the garments enumerated in paragraph (a) of this order delivered to a retailer by Superior, Incorporated on or after November 30, 1944, shall be as follows:

Style Number:	Retail ceiling price (per garment)
1510.....	\$2.00
1540.....	1.95
1580.....	2.20
1820.....	2.20

(d) On and after November 30, 1944, Superior, Incorporated shall transmit to each retail purchaser, to whom it makes any deliveries of any of the garments enumerated in paragraph (a) of this order, the notice required below. This notice must appear separately on, or be annexed to, the invoice, billing or other statement of price accompanying every shipment made by Superior, Incorporated, of any of the garments for which ceiling prices have been established by this order.

NOTICE OF ADJUSTED CEILING PRICES

The Office of Price Administration has permitted us to adjust our ceiling prices on four styles of fall and winter underwear. The OPA has also established ceiling prices for

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sale of these garments at retail by you. The following are the style numbers of the garments on which adjustments have been made, our adjusted ceiling prices and the ceiling prices established for your sale of these garments at retail:

Style No.	Adjusted ceiling price of Superior, Incorporated	Retail ceiling price
	Per dozen	Per garment
1510.....	\$16.09	\$2.00
1540.....	15.72	1.95
1580.....	17.53	2.20
1820.....	17.74	2.20

Please note that under OPA order you may not sell any garments of the above four styles, delivered to you by us on or after November 30, 1944, at prices in excess of the retail ceiling prices set forth above.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 30, 1944.

Issued this 29th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-18168; Filed, Nov. 29, 1944;
11:19 a. m.]

[MPR 260, Order 49]

GLOBAL IMPORT AND EXPORT CO., INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended, *It is ordered*, That:

(a) Global Import & Export Company, Inc., 307-8 Boulevard Building, Detroit 2, Michigan, (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
Cachada.....	Senadores.....	25	\$262.50	\$0.35
	Petit Cetros.....	25	220.00	.29
	Londres.....	25	220.00	.29
El Arabe.....	Petit Cetros.....	25	195.00	.25
	Londres.....	25	187.50	.23

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by

this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 30, 1944.

Issued this 29th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-18169; Filed, Nov. 29, 1944;
11:19 a. m.]

Regional and District Office Orders.

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register November 27, 1944.

REGION I

Boston Order 5-F, Amendment 5, covering fresh fruits and vegetables in certain counties in Massachusetts, filed 4:10 p. m.

Concord Order 6-F, covering fresh fruits and vegetables in certain counties in New Hampshire, filed 4:07 p. m.

Providence Order 2-W, Amendment 1, covering community food prices in the State of Rhode Island, filed 4:07 p. m.

REGION II

Baltimore Order 4-F, Amendment 13, covering fresh fruits and vegetables in certain areas in Maryland, filed 4:12 p. m.

Baltimore Order 6-F, Amendment 13, covering fresh fruits and vegetables in certain areas in the State of Maryland, filed 4:12 p. m.

Newark Order 5-F, Amendment 7, covering fresh fruits and vegetables in certain coun-

ties in the State of New Jersey, filed 4:12 p. m.

REGION III

Charleston Order 3-F, Amendment 48, covering fresh fruits and vegetables in certain counties in the State of West Virginia, filed 4:17 p. m.

Charleston Order 7-F, Amendment 34, covering fresh fruits and vegetables in certain counties in the State of West Virginia, filed 4:17 p. m.

Charleston Order 8-F, Amendment 33, covering fresh fruits and vegetables in certain counties in the State of West Virginia, filed 4:17 p. m.

Charleston Order 9-F, Amendment 34, covering fresh fruits and vegetables in certain counties in the State of West Virginia, filed 4:16 p. m.

Charleston Order 10-F, Amendment 30, covering fresh fruits and vegetables in certain counties in the State of West Virginia, filed 4:16 p. m.

Charleston Order 11-F, Amendment 18, covering fresh fruits and vegetables in certain counties in West Virginia, filed 4:16 p. m.

Charleston Order 12-F, Amendment 22, covering fresh fruits and vegetables in certain counties in the state of West Virginia, filed 4:16 p. m.

Charleston Order 13-F, Amendment 18, covering fresh fruits and vegetables in certain counties in the state of West Virginia, filed 4:15 p. m.

Charleston Order 13-F, Amendment 19, covering fresh fruits and vegetables in certain counties in the state of West Virginia, filed 4:15 p. m.

Indianapolis Order 4-F, Amendment 32, covering fresh fruits and vegetables in certain counties in Indiana, filed 4:08 p. m.

Indianapolis Order 5-F, Amendment 32, covering fresh fruits and vegetables in Wayne, Delaware & Allen Counties, Indiana, filed 4:09 p. m.

Indianapolis Order 6-F, Amendment 32, covering fresh fruits and vegetables in St. Joseph County, Indiana, filed 4:09 p. m.

Indianapolis Order 7-F, Amendment 19, covering fresh fruits and vegetables in Vanderburgh County, Indiana, filed 4:09 p. m.

Indianapolis Order 8-F, Amendment 32, covering fresh fruits and vegetables in certain counties in Indiana, filed 4:09 p. m.

Indianapolis Order 9-F, Amendment 32, covering fresh fruits and vegetables in certain counties in Indiana and Ohio, filed 4:08 p. m.

Indianapolis Order 10-F, Amendment 32, covering fresh fruits and vegetables in certain counties in Indiana, filed 4:08 p. m.

Indianapolis Order 11-F, Amendment 32, covering fresh fruits and vegetables in certain counties in Ohio and Indiana, filed 4:08 p. m.

Indianapolis Order 12-F, Amendment 17, covering fresh fruits and vegetables in certain counties in Indiana, filed 4:07 p. m.

REGION IV

Roanoke Order 13, Amendment 3, covering community food prices in the area of Roanoke, Virginia, filed 4:10 p. m.

REGION V

Fort Worth Order 1-C, Amendment 1, covering poultry prices in Fort Worth, Texas, filed 4:10 p. m.

Lubbock Order 3-F, Amendment 29, covering fresh fruits and vegetables in Lubbock, Texas, filed 4:04 p. m.

REGION VI

Des Moines Order G-1, Amendment 1, covering fresh fruits and vegetables in certain areas in Iowa, filed 12:37 p. m.

La Crosse Order 1-F, Amendment 43, covering fresh fruits and vegetables in certain cities in Wisconsin and Minnesota, filed 4:05 p. m.

La Crosse Order 1-F, Amendment 44, covering fresh fruits and vegetables in certain

cities in Wisconsin and Minnesota, filed 4:04 p. m.

La Crosse Order 3-F, Amendment 39, covering fresh fruits and vegetables in certain cities in Wisconsin, filed 4:05 p. m.

La Crosse Order 3-F, Amendment 40, covering fresh fruits and vegetables in certain cities in Wisconsin, filed 4:05 p. m.

La Crosse Order 5-F, Amendment 38, covering fresh fruits and vegetables in Rochester, Minnesota, filed 4:05 p. m.

La Crosse Order 5-F, Amendment 39, covering fresh fruits and vegetables in Rochester, Minnesota, filed 4:04 p. m.

La Crosse Order 9, Amendment 7, covering community food prices in certain counties in Iowa and Wisconsin, filed 4:06 p. m.

La Crosse Order 12, Amendment 4, covering community food prices in certain counties in Wisconsin, filed 4:06 p. m.

La Crosse Order 13, Amendment 4, covering community food prices in certain counties in the state of Minnesota, filed 4:06 p. m.

Sioux City Order 2-F, Amendment 45, covering fresh fruits and vegetables in certain cities in Iowa and Nebraska, filed 4:12 p. m.

Sioux City Order 3-F, Amendment 13, covering fresh fruits and vegetables in Iowa and Nebraska, filed 4:12 p. m.

REGION VII

New Mexico Order F-6, Amendment 15, covering fresh fruits and vegetables in certain areas in New Mexico, filed 4:13 p. m.

REGION VIII

Fresno Order 5-F, Amendment 9, covering fresh fruits and vegetables in certain areas in California, filed 4:14 p. m.

Phoenix Order 5, Amendment 2, covering food prices in the Southern Navajo-Apache area, filed 4:13 p. m.

Phoenix Order 5-W, Amendment 2, covering dry groceries in the Navajo-Apache area, filed 4:13 p. m.

Portland Order 25, Amendment 1-A, covering community ceiling prices in Portland, filed 4:03 p. m.

Portland Order 25, Amendment 2, covering community ceiling prices in certain counties in Oregon, filed 4:04 p. m.

Portland Order 2-P, covering fresh fish and seafood in the Portland, Oreg., area, filed 4:17 p. m.

Portland Order 2-P, Amendment 1, covering fresh fish and seafood in Portland, Oreg., filed 4:18 p. m.

Portland Order 2-P, Amendment 2, covering fresh fish and seafood in Portland, Oreg., area, filed 4:18 p. m.

Portland Order 2-P, Amendment 3, covering fresh fish and seafood in Portland, Oreg., filed 4:19 p. m.

Portland Order 25, covering community food prices in the Klamath Falls area, filed 4:19 p. m.

Portland Order 25, Amendment 1, covering community ceiling prices in the Portland area, filed 4:19 p. m.

San Francisco Order G-14, covering eggs in certain counties in the Sierra Nevada, filed 12:37 p. m.

San Francisco Order W-1, Amendment 4, covering community ceiling prices in San Francisco, Calif., filed 4:10 p. m.

Spokane Order 1-C, covering community pricing on poultry in certain counties in the State of Washington, filed 4:14 p. m.

Spokane Order 2-C, covering community pricing on poultry in certain counties in the State of Washington, filed 4:13 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-18160; Filed, Nov. 29, 1944; 11:17 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register November 27, 1944.

REGION I

Boston Order G-2, Amendment 6, covering certain food items in Boston, filed 9:42 a. m.

REGION II

Williamsport Order 2-F, Amendment 12, covering fresh fruits and vegetables in certain areas in Pennsylvania, filed 9:49 a. m.

REGION III

Cincinnati Order 1-P, Amendment 4, covering fresh fish and seafood in certain counties in the state of Ohio, filed 9:47 a. m.

Cincinnati Order 1-P, Amendment 5, covering fresh fish and seafood in certain counties in the state of Ohio, filed 9:47 a. m.

Escanaba Order 18-3-B, covering fresh fruits and vegetables in the Upper Peninsula of Michigan, filed 9:54 a. m.

Escanaba Order 18-3-B, Amendment 1, covering fresh fruits and vegetables in certain counties in Michigan and Wisconsin, filed 9:55 a. m.

Escanaba Order 19-3-B, covering fresh fruits and vegetables in certain areas in the Upper Peninsula of Michigan, filed 9:55 a. m.

Escanaba Order 19-3-B, Amendment 1, covering fresh fruits and vegetables in certain counties in the State of Michigan, filed 9:55 a. m.

Indianapolis Order 32, Amendment 2, covering community food prices in the Southwestern Indiana Area, filed 9:56 a. m.

Indianapolis Order 32, Amendment 3, covering community food prices in Southwestern Indiana, filed 9:57 a. m.

Indianapolis Order 33, Amendment 2, covering food prices in Northwestern Indiana, filed 9:57 a. m.

Indianapolis Order 34, Amendment 2, covering community food prices in the Northwestern Indiana, filed 9:57 a. m.

Indianapolis Order 35, Amendment 2, covering community food prices in the Southeastern Indiana, filed 9:56 a. m.

Indianapolis Order 36, Amendment 2, covering community food prices for Central Indiana, filed 9:56 a. m.

Indianapolis Order 36, Amendment 3, covering community food prices in Central Indiana, filed 9:57 a. m.

Indianapolis Order 37, Amendment 2, covering community food prices in the Indiana District, filed 9:56 a. m.

Lexington Order 11, Amendment 14, covering community food prices in certain counties in Kentucky, filed 9:42 a. m.

REGION V

Houston Order 1-F, Amendment 32, covering fresh fruits and vegetables in Houston, Texas, filed 9:42 a. m.

Houston Order 3-F, Amendment 20, covering fresh fruits and vegetables in Houston, Texas, filed 9:42 a. m.

Wichita Order 3-W, Amendment 2, covering dry groceries in Wichita, Kans., filed 9:44 a. m.

REGION VI

Chicago Order 2-F, Amendment 37, covering fresh fruits and vegetables in certain counties in the States of Illinois and Indiana, filed 9:43 a. m.

Chicago Order 2-F, Amendment 39, covering fresh fruits and vegetables in certain counties in Illinois and Indiana, filed 9:47 a. m.

Duluth-Superior Order 1-F, Amendment 44, covering fresh fruits and vegetables in certain areas in the State of Minnesota, filed 9:42 a. m.

Moline Order 40, Amendment 1, covering dry groceries in certain counties in the States of Iowa and Illinois, filed 9:44 a. m.

Twin Cities Order 1-F, Amendment 6, covering fresh fruits and vegetables in certain areas in the State of Minnesota, filed 9:44 a. m.

Twin Cities Order 2-F, Amendment 5, covering fresh fruits and vegetables in certain counties in Minnesota and Wisconsin, filed 9:44 a. m.

REGION VII

Boise Order 4-B, covering community pricing order in Boise, Idaho, filed 9:45 a. m.

REGION VIII

Fresno Order 1-F, Amendment 45, covering fresh fruits and vegetables in Fresno, California, filed 9:59 a. m.

Fresno Order 2-F, Amendment 33, covering fresh fruits and vegetables in Modesto, California, filed 9:59 a. m.

Fresno Order 3-F, Amendment 30, covering fresh fruits and vegetables in certain cities in the state of California, filed 9:43 a. m.

Fresno Order 6-F, Amendment 16, covering fresh fruits and vegetables in Kern County, California, filed 9:59 a. m.

Nevada Orders Nos. 6-F, 7-F, 8-F, 9-F, & 10-F, Amendment 2-A, covering fresh fruits and vegetables in Nevada, filed 9:43 a. m.

San Diego Order 1-F, Amendment 20, covering fresh fruits and vegetables in San Diego, Calif., filed 9:43 a. m.

Spokane Order 3-F, Amendment 10, covering fresh fruits and vegetables in Shoshone and Kootenai Counties, Idaho, filed 9:58 a. m.

Spokane Order 1-P, covering fresh fish and seafood in certain areas of Spokane County, Wash., filed 9:48 a. m.

Seattle Order 2-C, covering poultry prices in certain areas in the State of Washington, filed 9:53 a. m.

Seattle Order 1-OC, covering poultry prices in certain counties in the State of Washington, filed 9:52 a. m.

Seattle Order 2-O, covering prices for eggs in certain counties in the State of Washington, filed 9:54 a. m.

Seattle Order 6-F, Amendment 3, covering fresh fruits and vegetables in Seattle, Wash., filed 9:49 a. m.

Seattle Order 7-F, Amendment 3, covering fresh fruits and vegetables in Tacoma, Wash., filed 9:49 a. m.

Seattle Order 8-F, Amendment 3, covering fresh fruits and vegetables in Everett, Wash., filed 9:49 a. m.

Seattle Order 9-F, Amendment 3, covering fresh fruits and vegetables in Bremerton, Wash., filed 9:50 a. m.

Seattle Order 10-F, Amendment 3, covering fresh fruits and vegetables in Bellingham, Wash., filed 9:50 a. m.

Seattle Order 11-F, Amendment 3, covering fresh fruits and vegetables in Olympia, Wash., filed 9:50 a. m.

Seattle Order 12-F, Amendment 3, covering fresh fruits and vegetables in Aberdeen-Hoquiam, Wash., filed 9:51 a. m.

Seattle Order 13-F, Amendment 3, covering fresh fruits and vegetables in Centralia-Chehalis, Wash., filed 9:51 a. m.

Seattle Order 14-F, Amendment 3, covering fresh fruits and vegetables in Wenatchee, Wash., filed 9:51 a. m.

Seattle Order 15-F, Amendment 3, covering fresh fruits and vegetables in Yakima, Wash., filed 9:51 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44-18161; Filed, Nov. 29, 1944; 11:17 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-1000]

CONSOLIDATED NATURAL GAS CO., ET AL.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 25th day of November 1944.

In the matter of Consolidated Natural Gas Company, New York State Natural Gas Corporation, The Peoples Natural Gas Company; File No. 70-1000.

Notice is hereby given that a joint application and declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Consolidated Natural Gas Company (Consolidated), a registered holding company, and its subsidiaries, New York State Natural Gas Corporation (New York State) and The Peoples Natural Gas Company (Peoples).

Notice is further given that any interested person may, not later than December 7, 1944, at 10:00 a. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, said joint application or declaration, as filed or as amended, may be granted, as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said joint application and declaration, which is on file in the offices of the Commission, for a statement of the transactions therein proposed, which are summarized below:

New York State proposes to issue 9,100 shares of common capital stock (\$100 par value) to Consolidated for \$910,000 cash, of which amount New York State proposes to use \$804,860.12 to acquire from Peoples a certain pipe line, now being operated by New York State under lease from Peoples, extending from a point near People's Pew Compressor Station, Clarion County, Pennsylvania, in a northeasterly direction for a distance of approximately ninety miles to a point in Hebron Township, Potter County, Pennsylvania. The application states that the pipe line is at present carried on the books of the vendor on the basis of original cost and that the purchase price of \$804,860.12 represents such original cost less accrued depreciation. It is further stated that New York State will record this property and the related depreciation reserve in the same amounts as carried on the books of the vendor.

The purpose of these transactions is to effectuate the consummation of New York State's program for the construction and acquisition of direct transmission facilities connecting the system of

Hope Natural Gas Company, an affiliate company, at the Pennsylvania-West Virginia state line with the New York State system in northern Pennsylvania. The financing of the initial step of the program, involving the construction of 127 miles of pipe line, was heretofore approved by the Commission by its order of June 12, 1944 (Holding Company Act Release No. 5097). The construction, acquisition and operation of the pipe line have been authorized by the Federal Power Commission and the proposed sale of the pipe line by Peoples to New York State has been approved by the Pennsylvania Public Utility Commission.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-18120; Filed, Nov. 28, 1944;
3:45 p. m.]

[File No. 70-997]

FEDERAL WATER AND GAS CORP. AND OHIO
WATER SERVICE CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 22d day of November, A. D. 1944.

Notice is hereby given that Federal Water and Gas Corporation, a registered holding company, and its direct subsidiary, Ohio Water Service Company, have jointly filed with this Commission an application or declaration (or both) pursuant to the Public Utility Holding Company Act of 1935.

All interested persons are referred to said document which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized below:

Ohio Water Service Company proposes to reclassify its presently outstanding capital stock consisting of 40,522 shares of Class A Common Stock, without par value and with a stated value of \$3,155,897.71, into 121,566 shares of common stock with a par value of \$10 per share. It is proposed that the decrease in the stated capital, amounting to \$1,940,237.71, be transferred to capital surplus.

Federal Water and Gas Corporation, as the owner of approximately 66% of the presently issued and outstanding capital stock of Ohio Water Service Company, will receive 80,880 shares of the new common stock for its present holdings. Federal Water and Gas Corporation, having previously been ordered by this Commission to divest itself of all interests, direct and indirect, in Ohio Water Service Company, proposes to sell these 80,880 shares of common stock to an underwriting group for \$1,190,000, the underwriting group subsequently to offer these securities to the public. It is proposed that the consideration to be received by Federal Water and Gas Corporation be applied to the retirement, on May 1, 1945, of \$1,098,000 principal amount of its 5½% debentures representing all of such debentures now outstanding. Federal Water and Gas Cor-

poration further proposes, within 24 months of the date of said sale, to expend or invest the balance of the proceeds, namely \$92,000, or an amount equivalent thereto, in a manner as may be subsequently determined to be necessary or appropriate to the integration or simplification of the holding company system of which Federal Water and Gas Corporation is a member.

Federal Water and Gas Corporation and Ohio Water Service Company have requested that the Commission find the proposed transactions necessary or appropriate to the integration or simplification of the holding company system of which these companies are members and request that the order or orders of this Commission approving the proposed transactions conform with the requirements of sections 371 (b), 371 (f), and 1808 (f) of the Internal Revenue Code, as amended, and contain the recitals and specifications described therein.

The said application or declaration (or both) designates Sections 6 (a), 6 (b) and 11 of the act as being applicable to the proposed transactions.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters and that said application or declaration (or both) shall not be granted or permitted to become effective except pursuant to further order of this Commission:

It is ordered, That a hearing under the applicable provisions of the act and rules of the Commission promulgated thereunder be held on December 15, 1944 at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, in such room as the hearing room clerk in Room 318 will at that time advise. All persons desiring to be heard or otherwise wishing to participate in the proceedings shall file with the Commission on or before December 13, 1944, a written request relative thereto, as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That the Secretary of the Commission shall serve notice of the aforesaid hearing by mailing copies of this order by registered mail to Federal Water and Gas Corporation and Ohio Water Service Company; and that notice of said hearing be given to all other persons by publication of this order in the FEDERAL REGISTER.

It is further ordered, That Henry C. Lank or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by said application or declaration (or both), particular attention will be directed at the hearing to the following matters and questions:

(1) Whether the proposed reclassification of the Class A Common Stock of Ohio Water Service Company is in the

interest of investors and consumers and satisfies the applicable standards of the Public Utility Holding Company Act of 1935;

(2) Whether the proposed sale of common stock of Ohio Water Service Company by Federal Water and Gas Corporation is subject to the competitive bidding requirements of Rule U-50;

(3) Whether the accounting entries to be made in connection with the proposed transactions are proper;

(4) Whether the fees, commissions, or any other remunerations to be paid directly or indirectly in connection with the proposed transactions are reasonable;

(5) Whether it is necessary or appropriate in the public interest or for the protection of investors and consumers to impose terms and conditions in connection with the proposed transactions; and

(6) Whether the proposed transactions comply with all the applicable provisions and requirements of the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 44-18121; Filed, Nov. 28, 1944;
3:45 p. m.]

[File No. 1-508]

I. MAGNIN & Co.

ORDER GRANTING APPLICATIONS TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 27th day of November, A. D. 1944.

In the matter of applications by the Los Angeles Stock Exchange and the San Francisco Stock Exchange to strike from listing and registration, I. Magnin & Co. Common Stock, No Par Value; File No. 1-508.

The Los Angeles Stock Exchange and the San Francisco Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having each made application to strike from listing and registration on their respective Exchanges the Common Stock, No Par Value, of I. Magnin & Co.;

After appropriate notice, a hearing having been held in these matters; and

The Commission having considered said applications together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said applications be and the same are hereby granted, effective at the close of the trading session on December 7, 1944.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 44-18155; Filed, Nov. 29, 1944;
11:01 a. m.]

[File No. 70-973]

MISSOURI GENERAL UTILITIES CO. AND ASSOCIATED ELECTRIC CO.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 27th day of November 1944.

The Commission having on August 13, 1942, entered an order pursuant to section 11 (b) (1) of the Public Utility Holding Company Act of 1935 requiring that Denis J. Driscoll and Willard L. Thorp, as Trustees of Associated Gas and Electric Corporation, a registered holding company, divest themselves of all their direct and indirect ownership, control and holding of securities issued by certain companies, including those of Missouri General Utilities Company, a subsidiary of Associated Electric Company, a registered holding company, which is in turn a subsidiary of said Trustees; and

Associated Electric Company and its subsidiary, Missouri General Utilities Company, having filed an application-declaration and amendments thereto, pursuant to the Public Utility Holding Company Act of 1935, proposing to effect partial compliance with the said order dated August 13, 1942, through the proposed sale by Associated Electric Company of its entire interest in Missouri General Utilities Company for an aggregate base price of \$1,610,000; proposing the transfer by the later company to Associated Electric Company of certain shares of capital stock of Atlantic Utility Service Corporation; and proposing that Associated Electric Company assume certain tax liabilities of Missouri General Utilities Company; and the application-declaration containing a request that the Commission find that compliance with the provisions of paragraphs (b) and (c) of Rule U-50 is not necessary to meet the objectives of paragraph (a) (5) of said rule; and Associated Electric Company having requested that the Commission's order be entered in these proceedings contain findings that the carrying out of such transactions is necessary to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935 and that such order conform to the pertinent requirements of the Internal Revenue Code, as amended, including section 373 (a) and 1808 (f), and that it contain the recitals, specifications, and itemizations therein required; and

A public hearing having been held after appropriate notice, and the Commission having been duly advised and having this day issued and filed its findings and opinions herein; on the basis of said findings and opinion:

The Commission having found that, with respect to the proposed sale by Associated Electric Company, an exemption from the requirements of Rule U-50 of the general rules and regulations is appropriate;

It is ordered, Pursuant to the provisions of sections 9 (a), 10, 12 (b), 12 (d), and 12 (f) of said act and Rules U-43, U-44,

U-45 and U-50 of the general rules and regulations thereunder, that the aforesaid application-declaration, as amended, be, and hereby is, granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24 of the general rules and regulations, and to the further condition that applicants-declarants secure such authorizations as are required by State law;

It is further ordered, That jurisdiction be and hereby is reserved over the payment of all legal fees and expenses of counsel in connection with the proposed transactions;

It is further ordered, That the proposed sale by Associated Electric Company of its entire interest in the securities and indebtedness of Missouri General Utilities Company (which as at July 31, 1944, consisted of 2,200 shares of common capital stock, \$555,000 principal amount of First Mortgage 6% Bonds, due 1946, and \$353,000 of open account indebtedness to parent) to Genevieve Electric Cooperative, Inc., Inter-County Electric Cooperative Association, Scott-New Madrid-Mississippi Cooperative Association, Black River Electric Cooperative, Crawford Electric Cooperative, Inc., and the City of Rolla, together with the proposed transfer by Missouri General Utilities Company to Associated Electric Company of 480 shares of the common stock of Atlantic Utility Service Corporation, is necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935 and to effectuate and comply with a certain divestment order issued by the Commission on August 13, 1942, pursuant to said section, in a proceeding entitled "In the Matter of Denis J. Driscoll and Willard L. Thorp, as Trustees of Associated Gas and Electric Corporation, Respondents, File No. 59-32".

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 44-18154; Filed, Nov. 29, 1944;
11:01 a. m.]

[File No. 70-940]

ASSOCIATED GAS AND ELECTRIC CORP., ET AL.

ORDER GRANTING APPLICATIONS AND PERMITTING DECLARATIONS TO BECOME EFFECTIVE, AMENDMENT

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 27th day of November 1944.

In the matter of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, NY PA NJ Utilities Company, The United Coach Company, Associated Utilities Corporation, Associated Real Properties, Inc., The Railway and Bus Associates, Dover Casualty Insurance Co.; File No. 70-940.

Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, a registered holding company; NY PA NJ Utilities Company, a registered holding company and a subsidiary of Associated Gas and Electric

Corporation; The United Coach Company, a subsidiary of Associated Gas and Electric Corporation; Associated Utilities Corporation, a registered holding company and a subsidiary of Associated Gas and Electric Corporation; Dover Casualty Insurance Co. and Associated Real Properties, Inc., both subsidiaries of Associated Utilities Corporation; and The Railway and Bus Associates, a subsidiary of Associated Real Properties, Inc., having filed joint applications-declarations, and amendments thereto, pursuant to sections 9 (a), 10, 12 (b), 12 (c), 12 (d), and 12 (f) of the Public Utility Holding Company Act of 1935 and Rules U-42, U-43 and U-45 promulgated thereunder, whereby, among other things, Associated Utilities Corporation proposed the transfer of 113,364 shares of the \$5 Dividend Series Preferred Stock of Associated Gas and Electric Company to Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation; and

The Commission having, on October 18, 1944, entered its order granting said applications and permitting said declarations to become effective; and

Applicants-declarants having advised the Commission that the correct number of shares of \$5 Dividend Series Preferred Stock of Associated Gas and Electric Company held by Associated Utilities Corporation and which it proposes to transfer to Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, is 133,364 shares, and that the figure of 113,364 shares was inadvertently inserted in the applications-declarations; and

Applicants-declarants having requested that the Commission's findings and opinion and order of October 18, 1944, be amended so as to permit the transfer of said 133,364 shares of \$5 Dividend Series Preferred Stock of Associated Gas and Electric Company from Associated Utilities Corporation to Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation; and

The Commission having considered the matter and deeming it appropriate in the public interest and in the interest of investors and consumers to amend said findings and opinion and order in the respect requested;

It is hereby ordered, That wherever the figure 113,364 appears in the findings and opinion and order of the Commission entered October 18, 1944, in the above matter (Holding Company Act Release No. 5357) as the number of shares of \$5 Dividend Series Preferred Stock of Associated Gas and Electric Company held by Associated Utilities Corporation and to be transferred to Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, said figure be corrected to read 133,364 shares.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-18158; Filed, Nov. 29, 1944;
11:02 a. m.]

[File Nos. 70-846, 70-850]

VIRGINIA ELECTRIC AND POWER CO., ET AL.

ORDER RELEASING JURISDICTION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 27th day of November, A. D. 1944.

In the matter of Virginia Electric and Power Company, Virginia Public Service Company, Engineers Public Service Company; File No. 70-846. In the matter of General Gas & Electric Corporation; File No. 70-850.

The Commission having by its orders of April 29, 1944 and May 23, 1944 granted applications and permitted declarations to become effective regarding the acquisition by Engineers Public Service Company, a registered holding company, of all the outstanding common stock (together with a claim for certain escrow funds) of Virginia Public Service Company from General Gas & Electric Corporation, the merger of Virginia Public Service Company into Virginia Electric and Power Company and the issuance by Virginia Electric and Power Company of \$23,000,000 aggregate principal amount of its First and Refunding Mortgage Bonds, Series D 3% due 1974, and \$9,000,000 aggregate principal amount of short-term 2 1/4% and 2 3/8% notes maturing semi-annually commencing February 1, 1945 and ending February 1, 1954, together with certain other related transactions; and

The Commission in said orders having reserved jurisdiction over all legal fees incurred or to be incurred in connection with the consummation of the various transactions.

Applicants and declarants having filed a post-effective amendment giving the amount of the legal fees proposed to be paid to counsel, which are stated to be as follows:

Huntton, Williams, Anderson, Gay & Moore, Counsel for Engineers Public Service Company and Virginia Electric and Power Company-----	\$55,000
Evans, Bayard & Frick, Counsel for Virginia Public Service Company--	22,500
Milbank, Tweed & Hope, Counsel for Various Financial Institutions: Services to:	
Dealer Managers-----	\$10,000
Trustee-----	1,000
Lending Institutions-----	2,000
Bond Purchasers-----	15,000
Stock Purchasers-----	2,500
Sullivan & Cromwell, Tax Counsel for Engineers Public Service Company and Virginia Electric and Power Company-----	30,500
Brown, Jackson & Knight, West Virginia Counsel for Engineers Public Service Company and Virginia Electric and Power Company-----	10,000
F. S. Spruill, Esq., North Carolina Counsel for Engineers Public Service Company and Virginia Electric and Power Company-----	1,500
	1,000

and having requested that jurisdiction be released; and data in connection with said fees having been submitted; and

It appearing to the Commission that such legal fees are not unreasonable and that jurisdiction over such matters should not be released:

It is ordered, That the jurisdiction reserved in the Commission's orders of April 29, 1944 and May 23, 1944 with respect to all legal fees incurred or to be incurred in connection with the consummation of the foregoing transactions be and the same is hereby released.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-18156; Filed, Nov. 29, 1944;
11:02 a. m.]

UNITED STATES COAST GUARD.

APPROVAL OF EQUIPMENT

Correction

In F. R. Doc. 44-17961, which appears on page 14093 of the issue for Tuesday, November 28, 1944, the parenthetical description of the Foster Wheeler Corporation D Type Marine Package Boiler should read "(Dwg. No. PD440-45A, dated 11 October 1944)." The first line of the description of the liferaft on page 14094 should read "20-person improved type liferaft, wood."

WAR FOOD ADMINISTRATION.

WALDEN LIVESTOCK MARKET, WALDEN, N. Y.

NOTICE AS TO POSTED STOCKYARD

It has been ascertained that the Walden Livestock Market, Walden, New York, posted on February 25, 1936, as coming within the jurisdiction of the Packers and Stockyards Act, 1921, as amended, no longer comes within the definition of a stockyard under the act. Therefore, notice of such fact is given to the owner of the stockyard and to the public by posting copies of this notice in the stockyard and by filing notice with the Division of the Federal Register.

(7 U.S.C. 181 et seq.; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Done at Washington, D. C., this 28th day of November 1944.

THOMAS J. FLAVIN,
Assistant to the
War Food Administrator.

[F. R. Doc. 44-18159; Filed, Nov. 29, 1944;
11:15 a. m.]

WAR MANPOWER COMMISSION.

DANBURY, CONN., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the Danbury Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs", effective August 16, 1943 (8 F.R. 11338).

Sec.

1. Purpose.
2. Definitions.

Sec.

3. Control of hiring and solicitation of workers.
4. Authority and responsibilities of Management-Labor Committee.
5. General.
6. Issuance of statements of availability by employers.
7. Issuance of statements of availability by United States Employment Service.
8. Referral in case of under-utilization.
9. Workers who may be hired only upon referral by the United States Employment Service.
10. Seniority.
11. Hiring contrary to the plan.
12. Exclusions.
13. Appeals.
14. Statements of availability.
15. Solicitation of workers.
16. Hiring.
17. Representation.
18. General referral policies.
19. Effective date.

SECTION 1. Purpose. The purpose of this plan is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management and necessary for the effective prosecution of the war:

- (a) The elimination of wasteful labor turnover in essential activities.
- (b) The reduction of unnecessary labor migration.
- (c) The direction of flow of scarce labor where most needed in the war program.
- (d) The maximum utilization of manpower resources.

Sec. 2. Definitions. As used in this plan:

(a) "The Danbury area" is the area comprised of the towns of Danbury, Bethel, Bridgewater, Brookfield, Kent, New Fairfield, New Milford, Newtown, Redding, Ridgefield, Roxbury, Sherman, Warren and Washington.

(b) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(c) "State" includes Alaska, Hawaii, and the District of Columbia.

(d) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(e) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission.

(f) "Additional controlled occupation" means an occupation found by the Area Manpower Director for the Danbury area with the approval of the Regional Director to be either,

(1) One of a category of occupations in an activity in which manpower short-

ages threaten critically needed production in such area, or

(2) An occupation in which the demand for workers in the area exceeds the available supply.

A list of the "additional controlled occupations" designated by the Area Manpower Director is attached to this program as Appendix A and may be amended from time to time by the area Manpower Director with the approval of the Regional Director.

(g) "Essential activity" means any activity included in the War Manpower Commission list of essential activities. (9 F.R. 3439).

(h) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(i) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employment means his principal employment.

Sec. 3. Control of hiring and solicitation of workers. All hiring and solicitation of workers in, or for work in, the Danbury area shall be conducted in accordance with this employment stabilization program. "All hiring and solicitation of workers in or for work in the Danbury area" as used in this section shall include hiring and solicitation, whether within or outside the Danbury area, if the work is to be performed within the area.

Sec. 4. Authority and responsibilities of Management-Labor Committee. The Area Management-Labor War Manpower Committee for the Danbury area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization program, and to make recommendations concerning the same to the Area War Manpower Director. It shall be the responsibility of this committee to hear and decide appeals or to delegate such responsibility to an Area Appeals Committee in accordance with regulations of the War Manpower Commission governing appeals.

Sec. 5. General. A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(b) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

Sec. 6. Issuance of statements of availability by employers. An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance in his employment would involve undue personal hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(e) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustments or approval thereof.

Sec. 7. Issuance of statements of availability by United States Employment Service. (a) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in section 6 is found to exist in his case. If the employer fails or refuses to issue a statement of availability to an individual entitled to such statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

(b) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who the War Manpower Commission finds, after notice, hearing and final decision, has not complied with any War Manpower Commission employment stabilization program, regulation or policy, and for so long as such employer continues his non-compliance after such finding.

Sec. 8. Referral in case of under-utilization. If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

Sec. 9. Workers who may be hired only upon referral by the United States Employment Service. Under the circumstances set forth below, a new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with, the United States Employment Service:

(a) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation, or

(b) The new employee is to be hired for work in an additional controlled occupation (see Appendix A) or his statement of availability indicates that his last employment was in such an occupation, or

(c) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period (in such cases the local office of the United States Employment Service shall require that the worker obtain a statement of availability from the local office of the United States Employment Service, serving the locality where such worker was most recently employed, except that the latter local office may delegate authority to issue a statement of availability to such a worker in a specific case to the office where the referral is to be made), or

(d) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work; *Provided*, That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration; *And provided further*, That such an individual may be hired for non-agricultural work for a period of not to exceed six weeks without referral or presentation of a statement of availability.

SEC. 10. Seniority. Worker's referred or transferred with statements of availability under the terms of this employment stabilization program shall, to the maximum extent possible, consistent with existing contractual relations between the employer and the employee:

(a) Preserve and accrue their seniority rights with their home employer in the same manner and with the same qualifications provided either by union agreement or by plant custom; and

(b) Be re-employed by their home employer according to the seniority agreement or custom mentioned above, providing they apply for re-employment within 40 days of either the date they terminate from the plant to which they first transferred, or the date when the U. S. Government declares an end to the war emergency, whichever is sooner.

(c) Workers transferred with statements of availability and later entering the armed forces under the Selective Service Act will have the same rights for re-employment with their home employer as provided in (a) and (b).

The United States Employment Service shall, upon the request of an individual, refer him to a former employer when it is found that he has received from such employer with whom he has re-employment rights under an existing collective bargaining agreement, a notice that he must return to his former employment in order to preserve his seniority status.

SEC. 11. Hiring contrary to the plan. An employer shall, upon written request of the United States Employment Service, promptly release from employment any worker hired in violation of this program.

SEC. 12. Exclusions. No provision of this employment stabilization program shall be applicable to:

(a) The hiring of a new employee for agricultural employment, or

(b) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purpose of this

program, unless the employee is customarily engaged in work of less than seven days' duration, or

(c) The hiring of an employee in any territory or possession of the United States, except Alaska and Hawaii, or

(d) The hiring by a foreign, state, county, or municipal government, or their political subdivisions or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign, state, county, or municipal government or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the program, or

(e) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service, or

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

SEC. 13. Appeals. Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under this employment stabilization program, in accordance with regulations and procedures of the War Manpower Commission.

SEC. 14. Statements of availability. A statement of availability issued to an individual pursuant to this program shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, or in an additional controlled occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission. Statements of availability received by any employer pursuant to this program shall be retained during the continuance of this program and for a reasonable time thereafter. They shall be made accessible to the Area Manpower Director or his representative upon request.

SEC. 15. Solicitation of workers. No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such individual would be subject to restrictions under this employment stabilization program, except in a manner consistent with such restrictions.

SEC. 16. Hiring. The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship. The Federal Government shall be considered as a single essential employer for the purpose of this program, and all hiring for departments and agencies of the Federal Government subject to Civil Service Act, rules and regulations, shall be conducted by the United States Civil Service Commission which shall recruit in accordance

with the policies of the War Manpower Commission.

SEC. 17. Representation. Nothing contained in this program shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the program.

SEC. 18. General referral policies. No provision in this program shall limit the authority of the United States Employment Service or any other governmental agency designated by the War Manpower Commission to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 19. Effective date. This program shall become effective March 1, 1944, and is substitution for and supercedes the employment stabilization plan in effect prior to such date. It shall, subject to such amendments as the War Manpower Commission may promulgate, continue in effect for six months following the termination of the war, unless sooner terminated by the War Manpower Commission.

Dated: November 8, 1944.

LEROY D. DOWNS,
Area Director.

Approved: November 18, 1944.

ARTHUR C. GERNES,
Regional Director.

APPENDIX A—ADDITIONAL CONTROLLED OCCUPATIONS

The following have been designated by the Area Manpower Director for the Danbury Area, with the approval of the Regional Director, as additional controlled occupations:

Automatic Screw Machine Operator (set up).
Cylindrical Grinder Operator.
Internal Grinder Operator.
Laboratory Tester—II Dairy Products.
Lathe Operator.
Surface Grinder Operator (set up).
Turret Lathe Operator (set up).

[F. R. Doc. 44-18105; Filed, Nov. 28, 1944; 3:06 p. m.]

[Amdt. 1]

DANBURY, CONN., AREA

EMPLOYMENT STABILIZATION PROGRAM

The employment stabilization program for the Danbury area, dated March 1, 1944 (*supra*), is hereby amended as follows:

By adding the following new paragraph to section 9:

(e) The new employee is a male worker.

Dated: June 5, 1944.

LEROY D. DOWNS,
Area Director.

Approved: November 18, 1944.

ARTHUR C. GERNES,
Regional Director.

[F. R. Doc. 44-18106; Filed, Nov. 28, 1944; 3:06 p. m.]

[Amdt. 2]

DANBURY, CONN., AREA

STANDARDS OF REFERRALS

The employment stabilization program for the Danbury area, dated March 1, 1944 (*supra*), is hereby amended as follows:

The following Standards of Referrals are herewith adopted as Amendment No. 2.

1. *Use of priorities.* The Manpower Priorities shall be distributed to all authorized referral agencies. These agencies shall be governed by these priorities in referring workers to employers.

2. *Standards governing referrals by the War Manpower Commission—*(a) *Order of referral.* (1) Based on occupational qualifications a worker possessing skills for which there is demand for the war effort shall be referred to job openings for which he is qualified in order of their relative importance as set forth in paragraph 2, hereof, and, to the extent consistent with current and anticipated manpower needs, in the following order:

- (i) To job openings in occupations using his highest skill.
- (ii) To job openings in occupations which require closely related skills.
- (iii) To other types of job openings for which he may be qualified.

(2) In integrating local and clearance orders for referral purposes at the local office level, they will be considered in the following six categories:

Category 1. Inter-regional recruitment orders designated "AA".

Category 2. Inter-regional recruitment orders designated "A".

Category 3. Local or intra-regional clearance orders designated priority I and inter-regional recruitment orders designated "B".

Category 4. Local or intra-regional clearance orders designated priority II and inter-regional recruitment orders designated "C".

Category 5. All other orders from essential or locally needed establishments.

Category 6. Orders from less essential establishments.

All orders in each category will be considered equal except in the case of category 3 wherein local or intra-regional clearance orders designated IA will be offered to applicants ahead of inter-regional recruitment orders designated "B", and the latter ahead of all other priority I orders.

(3) Any individual subject to priority referral shall, except as provided below, be offered successive job opportunities on the basis of their relative urgency in the war effort, due consideration being given to the individual's occupational qualifications and his prior rate of pay or earnings, and shall not be denied such successive job offers except as authorized in section 3 hereof.

(i) Worker may be referred to other than essential jobs only when:

(a) The worker is not needed by any essential jobs in the area;

(b) The worker is not able to accept essential jobs outside the area; or

(c) There is undue personal hardship or special emergency circumstances or

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other good cause which prevent the acceptance of an essential job.

(4) Upon determination by a Regional or Area Manpower Director, after consultation with the appropriate Management-Labor Committee, that the labor demands on an Area or Region cannot be met unless limitations are placed on the jobs offered to a worker, limitations as to the jobs which will be offered to a worker may be applied; *Provided, That:*

(i) No limitations shall be placed upon the number of jobs of substantially equal or greater manpower urgency which may be offered;

(ii) No such limitations shall be applicable to a job offer which the worker has good cause for refusing; and

(iii) The refusal of a worker, without good cause to accept referral shall not prejudice his right subsequently to be offered referrals to which he would be entitled had the refusal not occurred.

(5) In any case in which there are two or more job openings of the same relative urgency for which the worker is equally qualified, he shall be entitled to a free choice of the job opening to which he wishes to be referred.

(b) *Refusal of referral without prejudice.* (1) A worker may refuse a referral to a job opening and continue to be eligible for further referral if:

(i) The referral is not to a job opening in an occupation which will use his highest skill, and such job openings are available, or may be expected to become available within a reasonable period of time, in other priority or essential or locally needed activities.

(ii) The referral is not a job opening in an occupation which will use a closely related skill, and such job openings are available, or may be expected to become available within a reasonable period of time, in other priority or essential or locally needed activities.

(iii) As a condition of accepting or continuing in the offered employment, he would be required to join, resign from or refrain from joining a labor organization.

(iv) The wages or working conditions of the job offered are below standards fixed by applicable law, or are not reasonably comparable to those prevailing for similar employment in similar establishments in the community.

(v) The wage rate for the job offered is less than the minimum of an applicable bracket fixed by the War Labor Board for the occupation and locality, or is less than such amount as has been determined by the War Labor Board for the area or region, as necessary to avoid substandards of living.

(vi) He can show that acceptance of the job offered would involve for him an undue personal hardship.

(2) If a worker refuses referral or refuses to accept a job, which he may decline on one or more grounds set forth in paragraph 2, he shall be advised of his rights under the Manpower Program.

(c) *Unjustified refusal.* If a worker refuses a referral on grounds other than

those listed in paragraph 2, he shall not be referred to another opening until the job he refused has been filled or withdrawn or another opening develops with equal or higher priority for which the applicant is qualified.

(d) *Reporting.* Referral agencies shall render such reports as to the number of referrals and hires made to priority establishments and referrals to non-priority establishments as may be required by the State or Area Manpower Director.

(1) *Use of other organizations as referral agencies.* The Regional Manpower Director, after consultation with State and Area Directors, shall negotiate with the following Federal agencies with a view to establishing their respective authority to act as approved referral agencies consistent with applicable national arrangements:

(i) U. S. Civil Service Commission.

(ii) Railroad Retirement Board.

(iii) Recruitment and Manning Organization of the War Shipping Administration.

The Area Manpower Director shall negotiate with Labor Unions with a view of delegating to them authority to act as approved referral agencies under the applicable employment stabilization program:

Authorization of any of these agencies to act as a referral agency shall be made only after written arrangements have been made with these organizations which are consistent with the standards set forth below. Any such arrangement may be withdrawn at the discretion of the Area Director.

(e) *Union hiring halls.* Under the controlled referral plan and the basic referral policies outlined above, unions which have hiring arrangements with essential or locally needed employers who have a substantial number of workers at the time the controlled referral plan becomes effective may be granted the right to refer their own members to those employers in accordance with the following conditions:

(1) In their referral activities the unions shall observe all of the area employment stabilization plan and all determinations with respect to manpower priorities.

(2) The unions shall refer only those of their members who are entitled to referral under the program and in the order of priority set by the Area Manpower Director.

(3) The union shall maintain records of its referrals and hires and shall permit review of these records by the WMC or shall supply information relating to its referral activities to the War Manpower Commission as may be required.

Dated: August 14, 1944.

LEROY D. DOWNS,
Area Director.

Approved: November 18, 1944.

ARTHUR C. GERNES,
Regional Director.

[F. R. Doc. 44-18107; Filed, Nov. 28, 1944;
3:06 p. m.]

NORWALK, CONN., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the Norwalk Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs", effective August 16, 1943 (8 F.R. 11338).

Sec.

1. Purpose.
2. Definitions.
3. Control of hiring and solicitation of workers.
4. Authority and responsibilities of Management-Labor Committee.
5. General.
6. Issuance of statements of availability by employers.
7. Issuance of statements of availability by United States Employment Service.
8. Referral in case of under-utilization.
9. Workers who may be hired only upon referral by the United States Employment Service.
10. Seniority.
11. Hiring contrary to the plan.
12. Exclusions.
13. Appeals.
14. Statements of availability.
15. Solicitation of workers.
16. Hiring.
17. Representation.
18. General referral policies.
19. Effective date.

SECTION 1. Purpose. The purpose of this plan is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management and necessary for the effective prosecution of the war:

- (a) The elimination of wasteful labor turnover in essential activities.
- (b) The reduction of unnecessary labor migration.
- (c) The direction of flow of scarce labor where most needed in the war program.
- (d) The maximum utilization of manpower resources.

Sec. 2. Definitions. As used in this plan:

(a) "The Norwalk area" is the area comprised of the towns of Norwalk, Westport, New Canaan, Wilton and Weston.

(b) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(c) "State" includes Alaska, Hawaii, and the District of Columbia.

(d) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(e) "Critical occupation" means any occupation designated as a critical occu-

pation by the Chairman of the War Manpower Commission.

(f) "Additional controlled occupation" means an occupation found by the Area Manpower Director for the Norwalk area with the approval of the Regional Director to be either,

(1) One of a category of occupations in an activity in which manpower shortages threaten critically needed production in such area, or

(2) An occupation in which the demand for workers in the area exceeds the available supply.

A list of the "additional controlled occupations" designated by the Area Manpower Director is attached to this program as Appendix A and may be amended from time to time by the Area Manpower Director with the approval of the Regional Director.

(g) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities. (9 F.R. 3439.)

(h) Locally needed activity means any activity approved by the Regional Manpower Director as a locally needed activity.

(i) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employment mean his principal employment.

SEC. 3. Control of hiring and solicitation of workers. All hiring and solicitation of workers in, or for work in, the Norwalk area shall be conducted in accordance with this employment stabilization program. "All hiring and solicitation of workers in or for work in the Norwalk area" as used in this section shall include hiring and solicitation, whether within or outside the Norwalk area, if the work is to be performed within the area.

SEC. 4. Authority and responsibilities of Management-Labor Committee. The Area Management-Labor War Manpower Committee for the Norwalk area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization program, and to make recommendations concerning the same to the Area War Manpower Director. It shall be the responsibility of this committee to hear and decide appeals or to delegate such responsibility to an Area Appeals Committee in accordance with regulations of the War Manpower Commission governing appeals.

Sec. 5. General. A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(b) Such individual presents a statement of availability from his last em-

ployment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

SEC. 6. Issuance of statements of availability by employers. An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance in his employment would involve undue hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(e) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

SEC. 7. Issuance of statements of availability by United States Employment Service. (a) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in section 6 is found to exist in his case. If the employer fails or refuses to issue a statement of availability to an individual entitled to such statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

(b) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who the War Manpower Commission finds, after notice, hearing and final decision, has not complied with any War Manpower Commission employment stabilization program, regulation or policy, and for so long as such employer continues his non-compliance after such finding.

Sec. 8. Referral in case of under-utilization. If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

Sec. 9. Workers who may be hired only upon referral by the United States Employment Service. Under the circumstances set forth below, a new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or

in accordance with arrangements with, the United States Employment Service:

(a) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation, or

(b) The new employee is to be hired for work in an additional controlled occupation (see Appendix A) or his statement of availability indicates that his last employment was in such an occupation, or

(c) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period (in such cases the local office of the United States Employment Service shall require that the worker obtain a statement of availability from the local office of the United States Employment Service, serving the locality where such worker was most recently employed, except that the latter local office may delegate authority to issue a statement of availability to such a worker in a specific case to the office where the referral is to be made), or

(d) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work: *Provided*, That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration: *And provided further*, That such an individual may be hired for non-agricultural work for a period of not to exceed six weeks without referral or presentation of a statement of availability.

SEC. 10. Seniority. Workers referred or transferred with statements of availability under the terms of this employment stabilization program shall, to the maximum extent possible, consistent with existing contractual relations between the employer and the employee:

(a) Preserve and accrue their seniority rights with their home employer in the same manner and with the same qualifications provided either by union agreement or by plant custom; and

(b) Be re-employed by their home employer according to the seniority agreement or custom mentioned above, providing they apply for re-employment within 40 days of either the date they terminate from the plant to which they first transferred, or the date when the U. S. Government declares an end to the war emergency, whichever is sooner.

(c) Workers transferred with statements of availability and later entering the armed forces under the Selective Service Act will have the same rights for re-employment with their home employer as provided in (a) and (b).

The United States Employment Service shall, upon the request of an individual, refer him to a former employer when it is found that he has received from such employer with whom he has re-employment rights under an existing collective bargaining agreement, a notice that he must return to his former employment in order to preserve his seniority status.

SEC. 11. Hiring contrary to the plan. An employer shall, upon written request of the United States Employment Service, promptly release from employment

any worker hired in violation of this program.

SEC. 12. Exclusions. No provision of this employment stabilization program shall be applicable to:

(a) The hiring of a new employee for agricultural employment, or

(b) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purpose of this program, unless the employee is customarily engaged in work of less than seven days' duration, or

(c) The hiring of an employee in any territory or possession of the United States, except Alaska and Hawaii, or

(d) The hiring by a foreign, state, county, or municipal government, or their political subdivisions or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign, state, county, or municipal government or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the program, or

(e) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service, or

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

SEC. 13. Appeals. Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under this employment stabilization program, in accordance with regulations and procedures of the War Manpower Commission.

SEC. 14. Statements of availability. A statement of availability issued to an individual pursuant to this program shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, or in an additional controlled occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

Statements of availability received by any employer pursuant to this program shall be retained during the continuance of this program and for a reasonable time thereafter. They shall be made accessible to the Area Manpower Director or his representative upon request.

SEC. 15. Solicitation of workers. No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization program, except in a manner consistent with such restrictions.

SEC. 16. Hiring. The decision to hire or refer a worker shall be based on qual-

ifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship. The Federal Government shall be considered as a single essential employer for the purpose of this program, and all hiring for departments and agencies of the Federal Government subject to Civil Service Act, rules and regulations, shall be conducted by the United States Civil Service Commission which shall recruit in accordance with the policies of the War Manpower Commission.

SEC. 17. Representation. Nothing contained in this program shall be construed to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the program.

SEC. 18. General referral policies. No provision in this program shall limit the authority of the United States Employment Service or any other governmental agency designated by the War Manpower Commission to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 19. Effective date. This program shall become effective March 1, 1944, and is substitution for and supersedes the employment stabilization plan in effect prior to such date. It shall, subject to such amendments as the War Manpower Commission may promulgate, continue in effect for six months following the termination of the War, unless sooner terminated by the War Manpower Commission.

Dated: November 8, 1944.

LEROY D. DOWNS,
Area Director.

Approved: November 18, 1944.

ARTHUR C. GERNES,
Regional Director.

APPENDIX A—ADDITIONAL CONTROLLED OCCUPATIONS

The following have been designated by the Area Manpower Director for the Norwalk area, with the approval of the Regional Director, as additional controlled occupations.

Auto Mechanics
Automatic Screw Machine Operators (skilled)
Electronic Engineers
Forgers-Drop Hammer Operators
Gaugemakers
Grinders
Grinders Operators (skilled)
Industrial Engineers
Lathe Operators (skilled)
Milling Machine Operators (skilled)
Turret Lathe Operators (skilled)
Welders

[F. R. Doc. 44-18108; Filed, Nov. 28, 1944; 3:07 p. m.]

[Amdt. 1]

NORWALK, CONN., AREA

EMPLOYMENT STABILIZATION PROGRAM

The employment stabilization program for the Norwalk area, dated March 1, 1944 (*supra*) is hereby amended as follows:

By adding the following new subparagraph to section 9:

(e) The new employee is a male worker.

Dated: June 5, 1944.

LEROY D. DOWNS,
Area Director.

Approved: November 18, 1944.

ARTHUR C. GERNES,
Regional Director.

[F. R. Doc. 44-18109; Filed, Nov. 28, 1944;
3:07 p. m.]

[Amdt. 2]

NORWALK, CONN., AREA

EMPLOYMENT STABILIZATION PROGRAM

The employment stabilization program for the Norwalk area, dated March 1, 1944 (*supra*), is hereby amended as follows:

SEC. 20. Ceilings. The Area Manpower Director may fix for all or any establishments in the Norwalk area, fair and reasonable employment ceilings and allowances, limiting the number of employees or other specified types of employees which such establishments may employ during specified periods. Such ceilings and allowances will be determined on the basis of the establishment's actual labor needs, the available labor supply, and/or the relative urgency of the establishment's products or services to the war effort. Except as authorized by the Area Manpower Director, no employer shall hire any new employee for work in such establishment if the hiring of such employee would result in such establishment's exceeding the employment ceiling or allowance currently applicable to it.

Dated: August 14, 1944.

LEROY D. DOWNS,
Area Director.

Approved: November 18, 1944.

ARTHUR C. GERNES,
Regional Director.

[F. R. Doc. 44-18110; Filed, Nov. 28, 1944;
3:08 p. m.]

[Amdt. 3]

NORWALK, CONN., AREA

STANDARDS OF REFERRALS

The employment stabilization program for the Norwalk area, dated March 1, 1944 (*supra*), is hereby amended as follows:

The following Standards of Referrals are herewith adopted as Amendment No. 3.

1. *Use of priorities.* The Manpower Priorities shall be distributed to all authorized referral agencies. These agencies shall be governed by these priorities in referring workers to employers.

2. *Standards governing referrals by the War Manpower Commission—(a) Order of referral.* (1) Based on occupational qualifications a worker possessing skills for which there is demand for the

war effort shall be referred to job openings for which he is qualified in order of their relative importance as set forth in paragraph 2, hereof, and, to the extent consistent with current and anticipated manpower needs, in the following order:

(i) To job openings in occupations using his highest skill

(ii) To job openings in occupations which require closely related skills

(iii) To other types of job openings for which he may be qualified.

(2) In integrating local and clearance orders for referral purposes at the local office level, they will be considered in the following six categories:

Category 1. Inter-regional recruitment orders designated "AA".

Category 2. Inter-regional recruitment orders designated "A".

Category 3. Local or intra-regional clearance orders designated priority I and inter-regional recruitment orders designated "B".

Category 4. Local or intra-regional clearance orders designated priority II and inter-regional recruitment orders designated "C".

Category 5. All other orders from essential or locally needed establishments.

Category 6. Orders from less essential establishments.

All orders in each category will be considered equal except in the case of category 3 wherein local or intra-regional clearance orders designated IA will be offered to applicants ahead of inter-regional recruitment orders designated "B", and the latter ahead of all other priority I orders.

(3) Any individual subject to priority referral shall, except as provided below, be offered successive job opportunities on the basis of their relative urgency in the war effort, due consideration being given to the individual's occupational qualifications and his prior rate of pay or earnings, and shall not be denied such successive job offers except as authorized in section 3 hereof.

(i) Worker may be referred to other than essential jobs only when:

(a) The worker is not needed by any essential jobs in the area;

(b) The worker is not able to accept essential jobs outside the area; or

(c) There is undue personal hardship or special emergency circumstances or other good cause which prevent the acceptance of an essential job.

(4) Upon determination by a Regional or Area Manpower Director, after consultation with the appropriate Management-Labor Committee, that the labor demands on an Area or Region cannot be met unless limitations are placed on the jobs offered to a worker, limitations as to the jobs which will be offered to a worker may be applied; *Provided, That:*

(i) No limitation shall be placed upon the number of jobs of substantially equal or greater manpower urgency which may be offered;

(ii) No such limitations shall be applicable to a job offer which the worker has good cause for refusing; and

(iii) The refusal of a worker, without good cause to accept referral shall not prejudice his right subsequently to be

offered referrals to which he would be entitled had the refusal not occurred.

(5) In any case in which there are two or more job openings of the same relative urgency for which the worker is equally qualified, he shall be entitled to a free choice of the job opening to which he wishes to be referred.

(b) *Refusal of referral without prejudice.* (1) A worker may refuse a referral to a job opening and continue to be eligible for further referral if:

(i) The referral is not to a job opening in an occupation which will use his highest skill, and such job openings are available or may be expected to become available within a reasonable period of time, in other priority or essential or locally needed activities.

(ii) The referral is not a job opening in an occupation which will use a closely related skill, and such job openings are available, or may be expected to become available within a reasonable period of time, in other priority or essential or locally needed activities.

(iii) As a condition of accepting or continuing in the offered employment, he would be required to join, resign from or refrain from joining a labor organization.

(iv) The wages or working conditions of the job offered are below standards fixed by applicable law, or are not reasonably comparable to those prevailing for similar employment in similar establishments in the community.

(v) The wage rate for the job offered is less than the minimum of an applicable bracket fixed by the War Labor Board for the occupation and locality, or is less than such amount as has been determined by the War Labor Board for the area or region, as necessary to avoid substandards of living.

(vi) He can show that acceptance of the job offered would involve for him an undue personal hardship.

(2) If a worker refuses referral or refuses to accept a job, which he may decline on one or more grounds set forth in paragraph 2, he shall be advised of his rights under the Manpower Program.

(c) *Unjustified refusal.* If a worker refuses a referral on grounds other than those listed in paragraph 2, he shall not be referred to another opening until the job he refused has been filled or withdrawn or another opening develops with equal or higher priority for which the applicant is qualified.

(d) *Reporting.* Referral agencies shall render such reports as to the number of referrals and hires made to priority establishments and referrals to non-priority establishments as may be required by the State or Area Manpower Director.

(1) *Use of other organizations as referral agencies.* The Regional Manpower Director, after consultation with State and Area Directors, shall negotiate with the following Federal agencies with a view to establishing their respective authority to act as approved referral agencies consistent with applicable national arrangements:

- (i) U. S. Civil Service Commission.
- (ii) Railroad Retirement Board.

(iii) Recruitment and manning organization of the War Shipping Administration.

The Area Manpower Director shall negotiate with Labor Unions with a view of delegating to them authority to act as approved referral agencies under the applicable employment stabilization program:

Authorization of any of these agencies to act as a referral agency shall be made only after written arrangements have been made with these organizations which are consistent with the standards set forth below. Any such arrangement may be withdrawn at the discretion of the Area Director.

(e) *Union hiring halls.* Under the controlled referral plan and the basic referral policies outlined above, unions which have hiring arrangements with essential or locally needed employers who have a substantial number of workers at the time the controlled referral plan becomes effective may be granted the right to refer their own members to those employers in accordance with the following conditions:

(1) In their referral activities the unions shall observe all of the Area Employment Stabilization Plan and all determinations with respect to manpower priorities.

(2) The unions shall refer only those of their members who are entitled to referral under the program and in the order of priority set by the Area Manpower Director.

(3) The union shall maintain records of its referrals and hires and shall permit review of these records by the WMC or shall supply information relating to its referral activities to the War Manpower Commission as may be required.

Dated: August 14, 1944.

LEROY D. DOWNS,
Area Director.

Approved: November 18, 1944.

ARTHUR C. GERNES,
Regional Director.

[F. R. Doc. 44-18111; Filed, Nov. 28, 1944;
3:08 p. m.]

STAMFORD, CONN., AREA

EMPLOYMENT STABILIZATION PROGRAM

The following employment stabilization program for the Stamford Area is hereby prescribed, pursuant to § 907.3 (g) of War Manpower Commission Regulation No. 7, "Governing Employment Stabilization Programs", effective August 16, 1943 (8 F.R. 11338).

Sec.

1. Purpose.
2. Definitions.
3. Control of hiring and solicitation of workers.
4. Authority and responsibilities of Management-Labor Committee.
5. General.
6. Issuance of statements of availability by employers.
7. Issuance of statements of availability by United States Employment Service.
8. Referral in case of under-utilization.

Sec.

9. Workers who may be hired only upon referral by the United States Employment Service.
10. Seniority.
11. Hiring contrary to the plan.
12. Exclusions.
13. Appeals.
14. Statements of availability.
15. Solicitation of workers.
16. Hiring.
17. Representation.
18. General referral policies.
19. Effective date.

SECTION 1. Purpose. The purpose of this plan is to assist the War Manpower Commission in bringing about, by measures equitable to labor and management and necessary for the effective prosecution of the war:

- (a) The elimination of wasteful labor turnover in essential activities.
- (b) The reduction of unnecessary labor migration.
- (c) The direction of flow of scarce labor where most needed in the war program.
- (d) The maximum utilization of manpower resources.

SEC. 2. Definitions. As used in this plan:

(a) "The Stamford area" is the area comprised of the towns of Stamford, Darien and Greenwich.

(b) "Agriculture" means those farm activities carried on by farm owners or tenants on farms in connection with the cultivation of the soil, the harvesting of crops, or the raising, feeding, or management of livestock, bees and poultry, and shall not include any packing, canning, processing, transportation or marketing of articles produced on farms unless performed or carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

(c) "State" includes Alaska, Hawaii, and the District of Columbia.

(d) "New employee" means any individual who has not been in the employment of the hiring employer at any time during the preceding 30-day period. For the purpose of this definition, employment of less than seven days' duration and employment which is supplemental to the employee's principal work shall be disregarded.

(e) "Critical occupation" means any occupation designated as a critical occupation by the Chairman of the War Manpower Commission.

(f) "Additional controlled occupation" means an occupation found by the Area Manpower Director for the Stamford area with the approval of the Regional Director to be either,

(1) One of a category of occupations in an activity in which manpower shortages threaten critically needed production in such area, or

(2) An occupation in which the demand for workers in the area exceeds the available supply.

A list of the "additional controlled occupations" designated by the Area Manpower Director is attached to this program as Appendix A and may be amended from time to time by the Area Manpower

Director with the approval of the Regional Director.

(g) "Essential activity" means any activity included in the War Manpower Commission List of Essential Activities (9 F.R. 3439).

(h) "Locally needed activity" means any activity approved by the Regional Manpower Director as a locally needed activity.

(i) The terms "employment" and "work" as applied to an individual engaged in principal and supplementary employment mean his principal employment.

SEC. 3. Control of hiring and solicitation of workers. All hiring and solicitation of workers in, or for work in, the Stamford area shall be conducted in accordance with this employment stabilization program. "All hiring and solicitation of workers in or for work in the Stamford Area" as used in this section shall include hiring and solicitation, whether within or outside the Stamford area, if the work is to be performed within the area.

SEC. 4. Authority and responsibilities of Management-Labor Committee. The Area Management-Labor War Manpower Committee for the Stamford Area is authorized to consider questions of policy, standards, and safeguards in connection with the administration of this employment stabilization program, and to make recommendations concerning the same to the Area War Manpower Director. It shall be the responsibility of this committee to hear and decide appeals or to delegate such responsibility to an Area Appeals Committee in accordance with regulations of the War Manpower Commission governing appeals.

SEC. 5. General. A new employee, who during the preceding 60-day period was engaged in an essential or locally needed activity, may be hired only if such hiring would aid in the effective prosecution of the war. Such hiring shall be deemed to aid in the effective prosecution of the war only if:

(a) Such individual is hired for work in an essential or locally needed activity or for work to which he has been referred by the United States Employment Service, and

(b) Such individual presents a statement of availability from his last employment in an essential or locally needed activity, or is referred by the United States Employment Service of the War Manpower Commission, or is hired with its consent, as provided herein.

SEC. 6. Issuance of statements of availability by employers. An individual whose last employment is or was in an essential or locally needed activity shall receive a statement of availability from his employer if:

(a) He has been discharged, or his employment has been otherwise terminated by his employer, or

(b) He has been laid off for an indefinite period, or for a period of seven or more days, or

(c) Continuance in his employment would involve undue personal hardship, or

(d) Such employment is or was at a wage or salary or under working conditions below standards established by State or Federal law or regulation, or

(e) Such employment is or was at a wage or salary below a level established or approved by the National War Labor Board (or other agency authorized to adjust wages or approve adjustments thereof) as warranting adjustment, and the employer has failed to adjust the wage in accordance with such level or to apply to the appropriate agency for such adjustment or approval thereof.

SEC. 7. Issuance of statements of availability by United States Employment Service. (a) A statement of availability shall be issued promptly to an individual when any of the circumstances set forth in section 6 is found to exist in his case. If the employer fails or refuses to issue a statement of availability to an individual entitled to such statement, the United States Employment Service of the War Manpower Commission, upon finding that the individual is entitled thereto, shall issue a statement of availability to the individual.

(b) A statement of availability shall be issued by the United States Employment Service to any individual in the employ of an employer who the War Manpower Commission finds, after notice, hearing and final decision, has not complied with any War Manpower Commission employment stabilization program, regulation or policy, and for so long as such employer continues his non-compliance after such finding.

SEC. 8. Referral in case of under-utilization. If an individual is employed at less than full time or at a job which does not utilize his highest recognized skill for which there is a need in the war effort, the United States Employment Service may, upon his request, refer him to other available employment in which it finds that the individual will be more fully utilized in the war effort.

SEC. 9. Workers who may be hired only upon referral by the United States Employment Service. Under the circumstances set forth below, a new employee may not be hired solely upon presentation of a statement of availability, but may be hired only upon referral by, or in accordance with arrangements with, the United States Employment Service:

(a) The new employee is to be hired for work in a critical occupation, or his statement of availability indicates that his last employment was in a critical occupation, or

(b) The new employee is to be hired for work in an additional controlled occupation (see Appendix A) or his statement of availability indicates that his last employment was in such an occupation, or

(c) The new employee has not lived or worked in the locality of the new employment throughout the preceding 30-day period (in such cases the local office of the United States Employment Service shall require that the worker obtain a statement of availability from the local office of the United States Employment Service, serving the locality where such

worker was most recently employed, except that the latter local office may delegate authority to issue a statement of availability to such a worker in a specific case to the office where the referral is to be made), or

(d) The new employee's last regular employment was in agriculture and he is to be hired for non-agricultural work: *Provided*, That no such individual shall be referred to non-agricultural work except after consultation with a designated representative of the War Food Administration, *And provided further*, That such an individual may be hired for non-agricultural work for a period of not to exceed six weeks without referral or presentation of a statement of availability.

SEC. 10. Seniority. Workers referred or transferred with statements of availability under the terms of this Employment Stabilization Program shall, to the maximum extent possible, consistent with existing contractual relations between the employer and the employee:

(a) Preserve and accrue their seniority rights with their home employer in the same manner and with the same qualifications provided either by union agreement or by plant custom; and

(b) Be re-employed by their home employer according to the seniority agreement or custom mentioned above, providing they apply for re-employment within 40 days of either the date they terminate from the plant to which they first transferred, or the date when the U. S. Government declares an end to the war emergency, whichever is sooner.

(c) Workers transferred with statements of availability and later entering the armed forces under the Selective Service Act will have the same rights for re-employment with their home employer as provided in (a) and (b).

The United States Employment Service shall, upon request of an individual, refer him to a former employer when it is found that he has received from such employer with whom he has re-employment rights under an existing collective bargaining agreement, a notice that he must return to his former employment in order to preserve his seniority status.

SEC. 11. Hiring contrary to the plan. An employer shall, upon written request of the United States Employment Service, promptly release from employment any worker hired in violation of this program.

SEC. 12. Exclusions. No provisions of this employment stabilization program shall be applicable to:

(a) The hiring of a new employee for agricultural employment, or

(b) The hiring of a new employee for work of less than seven days' duration, or for work which is supplementary to the employee's principal work; but such work shall not constitute the individual's "last employment" for the purpose of this program, unless the employee is customarily engaged in work of less than seven days' duration, or

(c) The hiring of an employee in any territory or possession of the United States, except Alaska and Hawaii, or

(d) The hiring by a foreign, state, county, or municipal government, or their political subdivisions or their agencies and instrumentalities, or to the hiring of any of their employees, unless such foreign, state, county, or municipal government or political subdivision or agency or instrumentality has indicated its willingness to conform, to the maximum extent practicable under the Constitution and laws applicable to it, with the program, or

(e) The hiring of a new employee for domestic service, or to the hiring of a new employee whose last regular employment was in domestic service, or

(f) The hiring of a school teacher for vacation employment or the rehiring of a school teacher for teaching at the termination of the vacation period.

SEC. 13. Appeals. Any worker or employer may appeal from any act or failure to act by the War Manpower Commission under this employment stabilization program, in accordance with regulations and procedures of the War Manpower Commission.

SEC. 14. Statements of availability. A statement of availability issued to an individual pursuant to this program shall contain only the individual's name, address, social security account number, if any, the name and address of the issuing employer, or War Manpower Commission officer and office, the date of issuance, a statement as to whether or not the individual's last employment was in a critical occupation, or in an additional controlled occupation, and such other information not prejudicial to the employee in seeking new employment as may be authorized or required by the War Manpower Commission.

Statements of availability received by any employer pursuant to this program shall be retained during the continuance of this program and for a reasonable time thereafter. They shall be made accessible to the Area Manpower Director or his representative upon request.

SEC. 15. Solicitation of workers. No employer shall advertise or otherwise solicit for the purpose of hiring any individual if the hiring of such an individual would be subject to restrictions under this employment stabilization program, except in a manner consistent with such restrictions.

SEC. 16. Hiring. The decision to hire or refer a worker shall be based on qualifications essential for performance of or suitability for the job, and shall be made without discrimination as to race, color, creed, sex, national origin, or except as required by law, citizenship.

The Federal Government shall be considered as a single essential employer for the purpose of this program, and all hiring for departments and agencies of the Federal Government subject to Civil Service Act, rules and regulations, shall be conducted by the United States Civil Service Commission which shall recruit in accordance with the policies of the War Manpower Commission.

SEC. 17. Representation. Nothing contained in this program shall be construed

to restrict any individual from seeking the advice and aid of, or from being represented by, the labor organization of which he is a member or any other representative freely chosen by him, at any step in the operation of the program.

SEC. 18. *General referral policies.* No provision in this program shall limit the authority of the United States Employment Service or any other governmental agency designated by the War Manpower Commission to make referrals in accordance with approved policies and instructions of the War Manpower Commission.

SEC. 19. *Effective date.* This program shall become effective March 1, 1944, and is substitution for and supersedes the employment stabilization plan in effect prior to such date. It shall, subject to such amendments as the War Manpower Commission may promulgate, continue in effect for six months following the termination of the war, unless sooner terminated by the War Manpower Commission.

Dated: November 13, 1944.

LEROY D. DOWNS,
Area Director.

Approved: November 18, 1944.

ARTHUR C. GERNES,
Regional Director.

APPENDIX A—ADDITIONAL CONTROLLED OCCUPATIONS

The following have been designated by the Area Manpower Director for the Stamford Area, with the approval of the Regional Director, as additional controlled occupations.

Industrial Engineers, Methods and Rates.
Gaugemakers.
Tool Grinders.
Machine Grinders—skilled.
Milling Machine Operators—skilled.
Lathe Operators—skilled.
Automatic Screw Machine (set up man).
Hand Screw Machine (set up man).
Turret Lathe (set up man).
Welders—skilled.
Assemblers, Machine.
Casters, Brass.
Drop Forgers.
Auto Mechanics.

[F. R. Doc. 44-18112; Filed, Nov. 28, 1944;
3:09 p. m.]

[Amdt. 1]

STAMFORD, CONN., AREA

EMPLOYMENT STABILIZATION PROGRAM

The employment stabilization program for the Stamford Area, dated March 1, 1944 (*supra*), is hereby amended as follows:

By adding the following new subparagraph to section 9:

(e) The new employee is a male worker.

Dated: June 5, 1944.

LEROY D. DOWNS,
Area Director.

Approved: November 18, 1944.

ARTHUR C. GERNES,
Regional Director.

[F. R. Doc. 44-18113; Filed, Nov. 28, 1944;
3:09 p. m.]

[Amdt. 2]

STAMFORD, CONN., AREA

EMPLOYMENT STABILIZATION PROGRAM

The employment stabilization program for the Stamford Area, dated March 1, 1944 (*supra*), is hereby amended as follows:

SEC. 20. *Ceilings.* The Area Manpower Director may fix for all or any establishments in the Stamford Area, fair and reasonable employment ceilings and allowances, limiting the number of employees or other specified types of employees which such establishments may employ during specified periods. Such ceilings and allowances will be determined on the basis of the establishment's actual labor needs, the available labor supply, and/or the relative urgency of the establishment's products or services to the war effort. Except as authorized by the Area Manpower Director, no employer shall hire any new employee for work in such establishment if the hiring of such employee would result in such establishment's exceeding the employment ceiling or allowance currently applicable to it.

Dated: August 14, 1944.

LEROY D. DOWNS,
Area Director.

Approved: November 18, 1944.

ARTHUR C. GERNES,
Regional Director.

[F. R. Doc. 44-18114; Filed, Nov. 28, 1944;
3:09 p. m.]

[Amdt. 3]

STAMFORD, CONN., AREA

STANDARDS OF REFERRALS

The employment stabilization program for the Stamford area, dated March 1, 1944 (*supra*), is hereby amended as follows:

The following Standards of Referrals are herewith adopted as Amendment No. 3.

1. *Use of priorities.* The Manpower Priorities shall be distributed to all authorized referral agencies. These agencies shall be governed by these priorities in referring workers to employers.

2. *Standards governing referrals by the War Manpower Commission—(a) Order of referral.* (1) Based on occupational qualifications a worker possessing skills for which there is demand for the war effort shall be referred to job openings for which he is qualified in order of their relative importance as set forth in paragraph 2, hereof, and, to the extent consistent with current and anticipated manpower needs, in the following order:

(i) To job openings in occupations using his highest skill
(ii) To job openings in occupations which require closely related skills
(iii) To other types of job openings for which he may be qualified.

(2) In integrating local and clearance orders for referral purposes at the local office level, they will be considered in the following six categories:

Category 1. Inter-regional recruitment orders designated "AA"

Category 2. Inter-regional recruitment orders designated "A"

Category 3. Local or intra-regional clearance orders designated priority I and inter-regional recruitment orders designated "B"

Category 4. Local or intra-regional clearance orders designated priority II and inter-regional recruitment orders designated "C"

Category 5. All other orders from essential or locally needed establishments.

Category 6. Orders from less essential establishments.

All orders in each category will be considered equal except in the case of category 3 wherein local or intra-regional clearance orders designated IA will be offered to applicants ahead of inter-regional recruitment orders designated "B", and the latter ahead of all other priority I orders.

(3) Any individual subject to priority referral shall, except as provided below, be offered successive job opportunities on the basis of their relative urgency in the war effort, due consideration being given to the individual's occupational qualifications and his prior rate of pay or earnings, and shall not be denied such successive job offers except as authorized in section 3 hereof.

(i) Worker may be referred to other than essential jobs only when:

(a) The worker is not needed by any essential jobs in the area;

(b) The worker is not able to accept essential jobs outside the area; or

(c) There is undue personal hardship or special emergency circumstances or other good cause which prevent the acceptance of an essential job.

(4) Upon determination by a Regional or Area Manpower Director, after consultation with the appropriate Management-Labor Committee, that the labor demands on an Area or Region cannot be met unless limitations are placed on the jobs offered to a worker, limitations as to the jobs which will be offered to a worker may be applied. *Provided, That:*

(i) No limitations shall be placed upon the number of jobs of substantially equal or greater manpower urgency which may be offered;

(ii) No such limitations shall be applicable to a job offer which the worker has good cause for refusing; and

(iii) The refusal of a worker, without good cause to accept referral shall not prejudice his right subsequently to be offered referrals to which he would be entitled had the refusal not occurred.

(5) In any case in which there are two or more job openings of the same relative urgency for which the worker is equally qualified, he shall be entitled to a free choice of the job opening to which he wishes to be referred.

(b) *Refusal of referral without prejudice.* (1) A worker may refuse a referral to a job opening and continue to be eligible for further referral if:

(i) The referral is not to a job opening in an occupation which will use his highest skill, and such job openings are available, or may be expected to become available within a reasonable period of time, in other priority or essential or locally needed activities.

(ii) The referral is not a job opening in an occupation which will use a closely

related skill, and such job openings are available, or may be expected to become available within a reasonable period of time, in other priority or essential or locally needed activities.

(iii) As a condition of accepting or continuing in the offered employment, he would be required to join, resign from or refrain from joining a labor organization.

(iv) The wages or working conditions of the job offered are below standards fixed by applicable law, or are not reasonably comparable to those prevailing for similar employment in similar establishments in the community.

(v) The wage rate for the job offered is less than the minimum of an applicable bracket fixed by the War Labor Board for the occupation and locality, or is less than such amount as has been determined by the War Labor Board for the area or region, as necessary to avoid substandards of living.

(vi) He can show that acceptance of the job offered would involve for him an undue personal hardship.

(2) If a worker refuses referral or refuses to accept a job, which he may decline on one or more grounds set forth in paragraph 2, he shall be advised of his rights under the Manpower Program.

(c) *Unjustified refusal.* If a worker refuses a referral on grounds other than those listed in paragraph 2, he shall not be referred to another opening until the job he refused has been filled or withdrawn or another opening develops with equal or higher priority for which the applicant is qualified.

(d) *Reporting.* Referral agencies shall render such reports as to the number of referrals and hires made to priority establishments and referrals to non-priority establishments as may be required by the State or Area Manpower Director.

(1) *Use of other organizations as referral agencies.* The Regional Manpower Director, after consultation with State and Area Directors, shall negotiate with the following Federal agencies with a view to establishing their respective authority to act as approved referral agencies consistent with applicable national arrangements:

(i) U. S. Civil Service Commission.

(ii) Railroad Retirement Board.

(iii) Recruitment and Manning Organization of the War Shipping Administration.

The Area Manpower Director shall negotiate with Labor Unions with a view of delegating to them authority to act as approved referral agencies under the applicable employment stabilization program:

Authorization of any of these agencies to act as a referral agency shall be made only after written arrangements have been made with these organizations which are consistent with the standards set forth below. Any such arrangement may be withdrawn at the discretion of the Area Director.

(e) *Union hiring halls.* Under the controlled referral plan and the basic referral policies outlined above, unions which have hiring arrangements with essential or locally needed employers who have a substantial number of workers at the time the controlled referral plan becomes effective may be granted the right to refer their own members to those employers in accordance with the following conditions:

(1) In their referral activities the unions shall observe all of the Area Employment Stabilization Plan and all determinations with respect to manpower priorities.

(2) The unions shall refer only those of their members who are entitled to referral under the program and in the order of priority set by the Area Manpower Director.

(3) The Union shall maintain records of its referrals and hires and shall permit review of these records by the WMC or shall supply information relating to its referral activities to the War Manpower Commission as may be required.

Dated: August 14, 1944.

LEROY D. DOWNS,
Area Director.

Approved: November 18, 1944.

ARTHUR C. GERNES,
Regional Director.

[F. R. Doc. 44-18115; Filed, Nov. 28, 1944;
3:10 p. m.]

WAR PRODUCTION BOARD.

[C-227]

BUDDIES BOX LUNCH, INC.

CONSENT ORDER

Buddies Box Lunch, Inc., an Ohio corporation, with principal offices at 2140 Ashland Avenue, Toledo, Ohio, is engaged in business as a caterer and a concessionaire, and as such purchases and uses hot-drink cups. The company was charged by the War Production Board, by a charging letter dated October 6, 1944 with having used during June and July, 1944, 156,618 hot-drink cups in excess of its quota permitted by Limitation Order L-336, and with having accepted deliv-

ery of paper cups in such number as to increase its inventory thereof to more than its reasonably anticipated requirements for the ensuing thirty days.

Supplemental investigation conducted subsequent to the hearing on the charges set forth in the preceding paragraph disclosed similar violations during the months of August, September and October, 1944. As a result thereof the company is now charged with having used, during June, July, August, September and October, 1944, 389,000 hot-drink cups in excess of its quota, and with having accepted, during said period, delivery of paper cups of the 8-ounce and 12-ounce sizes in such number that its present inventory is in excess of its reasonably anticipated requirements for the ensuing forty-five days from November 1, 1944, by 179,777 paper cups. Buddies Box Lunch, Inc., admits the violations of Limitation Order L-336 as charged, does not desire to contest the charges as made, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Buddies Box Lunch, Inc., the Regional Compliance Chief, and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered, That:*

(a) Buddies Box Lunch, Inc., shall, for twelve months from the effective date of this order, use in each month at least 32,416 hot-drink cups less than its quota as authorized by any order, regulation or authorization of the War Production Board.

(b) Buddies Box Lunch, Inc., shall not accept delivery of paper cups of the 8-ounce and 12-ounce sizes until such time as its inventory shall be reduced to 330,975 such cups, and thereafter shall accept delivery thereof only as provided in Limitation Order L-336 or other applicable order governing receipts thereof.

(c) Nothing contained in this order shall be deemed to relieve Buddies Box Lunch, Inc., its successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on November 28, 1944, and shall expire on November 28, 1945.

Issued this 21st day of November 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-18122; Filed, Nov. 28, 1944;
3:48 p. m.]